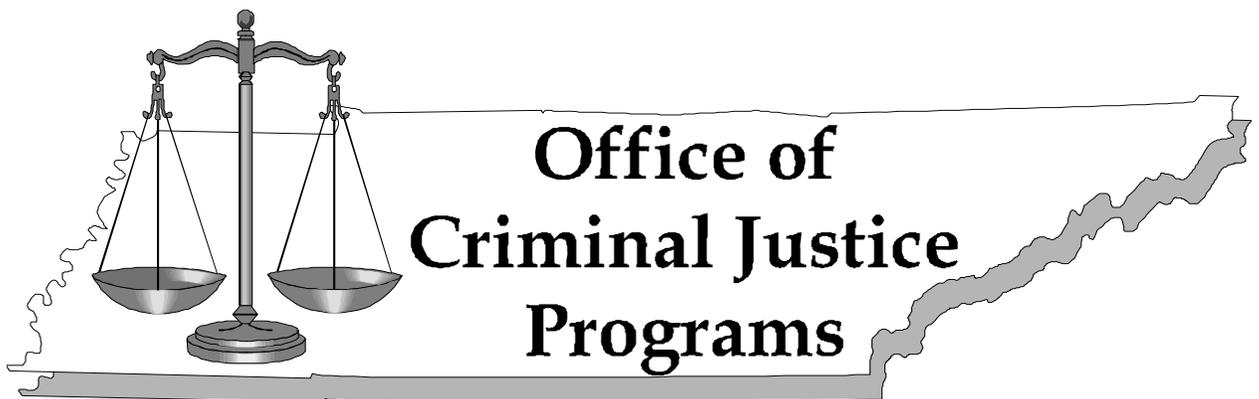


TENNESSEE

Office of Criminal Justice Programs

FORMULA GRANT ADMINISTRATIVE MANUAL



Office of Criminal Justice Programs
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OCJP ADMINISTRATIVE GRANT MANUAL GENERIC SECTION

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OCJP ADMINISTRATIVE GRANT MANUAL

INTRODUCTION

This document is provided for use by all subrecipient staff receiving grant funds administered by the Tennessee Office of Criminal Justice Programs (OCJP). This Guide is to serve as reference for the financial and programmatic requirements/responsibilities of projects funded through the OCJP:

The following are Federal grants administered by the Office of Criminal Justice Programs. These grants are awarded to numerous subrecipients throughout Tennessee.

Edward Byrne JAG Memorial Grants (CFDA # 16.738):

The purpose of the Byrne/JAG Formula Grant Program is to counter the violent crime and the threat of violent crime which has seriously eroded the quality of life for all citizens. Byrne/JAG Formula Grant Programs are intended to allow states to broaden their strategies in addressing both drug and violent crime issues. To assist in the accomplishment of this task, Congress and the executive branch have established National priorities for responding aggressively and effectively to violent crime, and reducing drug trafficking and abuse. These priorities include:

- Law enforcement programs
- Prosecution and court programs
- Prevention and education programs
- Corrections and community corrections programs
- Drug treatment programs
- Planning, evaluation and technology improvement programs

Using the National Priorities as a guide, Tennessee has identified specific needs and gaps. To address these areas of need OCJP has developed, with input from public hearings, statewide surveys and state level planning groups, six state priority areas. These priority areas include Offender Apprehension, Community Based Services, Court Support, Criminal Justice Records Improvement, Victim Advocacy, and Offender Rehabilitation. These priority areas allow Tennessee to prioritize program development in the areas of prevention, law enforcement, adjudication, corrections, treatment and information systems and technology improvement.

Tennessee had developed specific program areas to respond to these six state priorities. Under these specific programs Tennessee funds approximately 100-120 individual projects annually. The specific program areas include the following:

- Multi-Jurisdictional Drug and Violent Crime Task Force
- Response to Gang Activities
- Pre-Trial Service Delivery
- Special Prosecution Programs
- Criminal Justice Information Systems
- Domestic/Family Violence Training Program
- Victim/Witness Program

- Correctional Treatment
- Prison/Jail Industries
- Community Crime Prevention

(See Byrne/JAG [Appendix A](#) - Legislative Authority)

Family Violence Shelter Programs (CFDA # 93.671): The Family Violence Shelter Program provides immediate shelter and related assistance to victims of family violence and their dependents. States must give emphasis to the support of community-based projects of demonstrated effectiveness carried out by non-profit organizations, particularly those projects where the primary purpose is to operate shelters for victims of family violence, and those which provide counseling, advocacy, and self-help services to victims and their children. Shelter Programs must provide the following eight (8) core components:

- safe confidential shelter
- 24 hour crisis hot-line
- counseling
- advocacy
- transportation
- community education
- referral
- follow-up

(See FVS [Appendix A](#) -Legislative Authority)

STOP Violence Against Women Formula Grants (CFDA # 16.588): The purpose of the STOP Violence Against Women Grant Program is to assist state agencies, units of local government, and nonprofit organizations in carrying out specific projects which offer a high probability of improving the functioning of the criminal justice system. This grant program provides funding for projects that assist in efforts to reduce violence against women **and men**, specifically domestic violence, sexual assault and stalking.

(See STOP [Appendix A](#) - Legislative Authority)

STOP Grants promote a coordinated, multidisciplinary approach to improving the criminal justice system's response to violence against women. This approach envisions a partnership among law enforcement, prosecution, the courts, victim advocates and service providers to ensure victim safety and offender accountability.

Tennessee must allocate STOP Program funds as follows:

- 25% support law enforcement programs,
- 25% to prosecution programs,
- 30% to nonprofit, nongovernmental victim services programs,
- 5% to court programs, and
- 15% to further support law enforcement, prosecution, court or victim services programs at the state's discretion.

STOP-funded programs must address one or more of the following purpose areas:

- Training law enforcement officers and prosecutors to more effectively identify and respond to violent crimes against women;
- Developing, training, or expanding specialized units of law enforcement officers and prosecutors targeting violent crimes against women;
- Developing and implementing more effective police and prosecution policies, protocols, orders, and services specifically dedicated to identifying, and responding to violent crimes against women;
- Developing, installing, or expanding data collection and communication systems linking police, prosecutors, and courts or that are designed to identify and track arrests, protection orders, violations of protection orders, prosecutions, and convictions for violent crimes against women;
- Developing, enlarging, or strengthening victim service programs, including sexual assault and domestic violence programs;
- Developing, enlarging, or strengthening programs addressing stalking;
- Developing, enlarging, or strengthening programs addressing the needs and circumstances of Indian tribes in dealing with violent crimes against women.
- Supporting statewide, multidisciplinary efforts to coordinate the response of law enforcement, prosecution, courts, and victim services to sexual assault, domestic violence, dating violence, and stalking.
- Training sexual assault forensic medical personnel examiners
- Developing, enlarging, or strengthening programs to assist law enforcement, prosecutors, courts, and victim services to address and recognize the needs and circumstances of older and disabled individuals who are victims of domestic violence and sexual assault.
- Providing assistance to victims of domestic violence and sexual assault in immigration matters.

Victims of Crime Assistance Grants (CFDA # 16.575): The purpose of the Victims of Crime Act (VOCA) is to provide high quality services that directly improve the health and well being of victims of crime with priority given to victims of child abuse, domestic violence, sexual assault and services for previously underserved victims. Tennessee must allocate a minimum of 10% to each of the four priority areas each fiscal year (See VOCA [Appendix A](#) -Legislative Authority)

For the purpose of these Programs Guidelines, services are defined as those efforts that:

1. respond to the emotional and physical needs of crime victims;
2. assist primary and secondary victims of crime to stabilize their lives after victimization;
3. assist victims to understand and participate in the criminal justice system, provide victims of crime with a measure of safety and security such as boarding up broken windows and replacing or repairing locks.

A program is considered eligible under VOCA if it:

- is operated by a public agency or a nonprofit organization, or a combination of such agencies or organizations or both such agencies and organizations, and provides services to victims of crime;

- Demonstrates a record of providing effective services to victims of crime and substantial financial support from nonfederal sources;
- Utilizes volunteers in providing such services, unless and to the extent the chief executive determines that compelling reasons exist to waive this requirement;
- Promotes within the community served coordinated public and private efforts to aid crime victims, and
- Assists potential recipients in seeking crime victim compensation benefits.

Residential Substance Abuse Treatment for State Prisoners Grants (CFDA # 16.593): The Violent Crime Control and Law Enforcement Act of 1994 establishes a program of federal grants administered by the Bureau of Justice Assistance, Office of Justice Programs, U.S. Department of Justice. This program, known as Residential Substance Abuse Treatment for State Prisoners (RSAT), assists states and units of local government in developing and implementing residential substance abuse treatment programs within State and local correctional and detention facilities. (See [RSAT Appendix A](#) -Legislative Authority)

This guide is not intended to replace more detailed technical assistance available from the staff of OCJP. Subrecipient staff is encouraged to address questions or concerns regarding the subject matter in this guide or other issues to OCJP staff. (See OCJP [Appendix A](#) – Fact Sheet)

This Guide incorporates by reference the provisions of the Office of Management and Budget (OMB) circulars and government-wide common rules applicable to grants and cooperative agreements. These circulars and common rules include the following:

Reference: U.S. Department of Justice, Office of Justice Programs, Office of the Comptroller, Financial Guide. Web address: <http://www.ojp.usdoj.gov/FinGuide/>

Circulars and Common Rules

OMB CIRCULARS:

Administrative Requirements:	
OMB Circular A-102	"Grants and Cooperative Agreements with State and Local Governments".
OMB Circular A-110	"Uniform Administrative Requirements for Grants and Agreements With Institutions of Higher Education, Hospitals and Other Non-Profit Organizations" (codified at 28 CFR Part 70).
Cost Principles:	
OMB Circular A-21	"Cost Principles for Educational Institutions," (codified at 28 CFR Part 66, by reference).
OMB Circular A-87	"Cost Principles for State, Local, and Indian Tribal Governments," (codified at 28 CFR Part 66, by reference).
OMB Circular A-122	"Cost Principles for Nonprofit Organizations" (codified at 28 CFR Part 66, by reference)
Audit Requirements:	

<u>OMB Circular A-133</u>	"Audits of States, Local Governments and Nonprofit Institutions," (codified at CFR Part 66 & Part 70).
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GOVERNMENT-WIDE COMMON RULES:

"Uniform Administrative Requirements for Grants and Cooperative Agreements with State and Local Units of Governments," (codified at 28 CFR Part 66). (Grants Management Common Rule for State and Local Units of Governments).

"Government-wide Debarment and Suspension (Non-procurement)" (codified at 28 CFR Part 67) and **"Government-wide Requirements for Drug-free Workplace (Grants)"** (codified at 28 CFR Part 83).

"New Restrictions on Lobbying" (codified at 28 CFR Part 69).

For additional information on grants management and to obtain copies of current circulars, please visit the OMB website at www.whitehouse.gov/OMB/grants/index.html.

Reference: U.S. Department of Justice, Office of Justice Programs, Office of the Comptroller, Financial Guide Web Address: <http://www.ojp.usdoj.gov/finguide/>

Tennessee Comptroller of the Treasury, Division of Municipal Audit, Accounting and Financial Reporting for Not-For-Profit Recipients of Grant Funds in Tennessee
WebAddress: <http://www.comptroller.state.tn.us/ma/finreptmanual.htm>

CHAPTER I

PREAWARD REQUIREMENTS

A. APPLICATION PROCESS

The Office of Criminal Justice Programs (OCJP) application announcement routinely occurs each State fiscal year usually in the spring (March, April).

B. ELIGIBILITY REQUIREMENTS

For a detailed description of Grant Specific eligibility requirements please proceed to the following guides.

[BYRNE/JAG](#)

(Grant Specific BYRNE/JAG Chapter I)

[FAMILY VIOLENCE SHELTERS](#)

(Grant Specific Family Violence Shelters Chapter I)

[STOP](#) (Grant Specific STOP Chapter I)

[VOCA](#) (Grant Specific VOCA Chapter I)

[RSAT](#) (Grant Specific RSAT Chapter I)

C. SUBRECIPIENT APPLICATION ANNOUNCEMENT

Informational meetings may be scheduled by OCJP to disseminate information about the application process. Announcements of meetings are mailed approximately 30 days in advance and meeting places will be located across the state to allow potential subrecipients an opportunity to ask questions, receive technical assistance, and receive an application packet. Potential subrecipients unable to attend an informational meeting may request an application packet by mail.

D. CERTIFIED ASSURANCES

The OCJP application consists of narrative application and budget and must include the following federal assurances:

- 1. Non-Discrimination Requirements:** The potential subrecipient must assure and certify that they comply with all applicable civil rights non-discrimination requirements as set forth in the application packet. In the event that a Federal or State court or Federal or State Administrative agency makes a finding of discrimination after a due process hearing on the grounds of race, color, national origin, sex or disability against a subrecipient, a copy of such findings must be forwarded to the office for Civil Rights, Office of Justice Programs.
- 2. Application Review:** The OCJP shall obtain credit reports on any applicant where there is reason to believe that performance is substandard or there is evidence of financial irregularities.

3. **Federal Debt:** (OMB Circular A-129): OCJP holds subrecipients accountable for any overpayment, audit disallowance, or any other breach of award that results in a debt owed to F&A/OCJP involving Federal Grant money. The Federal Debt Collection Act of 1996 states that if, after written notification, grantee payments continue to be delinquent, the debt will be referred to a collection agency for further action. The State shall apply interest, penalties, and administrative costs to a delinquent debt owed by a debtor pursuant to State requirements and the Federal Claims Collection Standards and [OMB Circular A-129](#).
4. **Debarment and Suspension Certification:** This certification must be submitted with any grant application. This government-wide common rule for debarment and suspension provides guidance or requirements that subrecipients shall meet in order to receive Federal funds.
5. **Drug-Free Workplace Certification:** This certification must be submitted with any grant application. The government-wide common rule for debarment and suspension and drug-free workplace, 28 CFR Part 67 provides guidance on requirements that subrecipients shall meet in order to receive Federal funds or, in the case of a recipient who is an individual, certify to the agency that his or her conduct of award activity will be drug-free. If a subrecipient makes a false certification, the subrecipient is subject to suspension, termination, and debarment.

Sub Part F of 28 CFR part 67 implements the statutory requirements of the Drug-Free Workplace Act of 1989. All subrecipients receiving awards from any federal agency's shall certify to that agency that they will maintain a drug-free work place.

- a. OCJP shall submit a drug-free workplace certification to the Bureau of Justice Assistance and shall be responsible for obtaining a drug-free workplace certification from each State agency that is sub-awarded funds. Subrecipients who are not State agencies are not required to submit a drug-free workplace certification.
- b. There are two different certifications: one for individuals and one for organizations. The individual subrecipient certifies that he or she will not engage in the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance in conducting any activity with the award. The organizational subrecipient certifies that it will provide a drug-free workplace by:
 - (1) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the recipient's workplace and specifically the actions that will be taken against employees for violation of such prohibition.
 - (2) Establishing a drug-free awareness program to inform employees about:
 - (a) The dangers of drug abuse in the workplace;

- (b) The subrecipient's policy of maintaining a drug-free workplace;
 - (c) Any available drug counseling, rehabilitation, and employee assistance programs; and
 - (d) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace
- (3) Making it a requirement that each employee to be engaged in the performance of the award be given a copy of the employer's statement about drugs in the workplace.
 - (4) Notifying the employee that, as a condition of employment under the award, the employee will:
 - (a) Abide by the terms of the statement; and
 - (b) Notify the employer of any criminal statute conviction for a violation occurring in the workplace not later than five days after such a conviction.
 - (5) Notifying OCJP within ten days after receiving notice from an employee or otherwise receiving actual notice of such conviction.
 - (6) Taking one of the following actions, within 30 days of receiving notice, with respect to any employee who is so convicted:
 - (a) Taking appropriate personnel action against such an employee, up to and including termination; or
 - (b) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such proposes by a Federal, State, or local health, law enforcement, or other appropriate agency.
 - (7) Making a good faith effort to continue to maintain a drug-free workplace.

To summarize, the drug-free workplace common rule requires that ONLY direct recipients of Federal awards certify they will comply with the drug-free workplace common rule. There is no dollar threshold for certification.

6. **Lobbying Certification:** This certification must be submitted with any grant application. The Department of Justice's (DOJ) codification of the government-wide common rule for restrictions on lobbying, 28 CFR Part 69, provides guidance on requirements that recipients shall meet in order to receive Federal funds.

The following restrictions on lobbying are applicable to all subrecipients (in addition to the restrictions imposed by recent revisions to 18 U.S.C. Sec 1913). Interim Final Guidance for New Restrictions on Lobbying was published in the Federal Register in December 1989. The Lobbying Disclosure Act of 1995 included amendments that have an impact on the guidance provided in 1989. Per 31 USC §1352, the restrictions on lobbying are as follows:

- a. No federally-appropriated funds may be expended by the recipient of a Federal award, cooperative agreement, or contract to pay a person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with any of the following covered Federal actions: the awarding of any Federal contract, the making of any Federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, or cooperative agreement.
- b. Each person who requests or receives from an agency an initial Federal contract, award, or cooperative agreement (including subcontracts, subawards, and contracts under cooperative agreements) exceeding \$100,000 shall file with that agency a certification regarding lobbying. The certification shall be submitted to the agency making the award. Each person is certifying that:
 - (1) They have not made, and will not make, any payment for a lobbying activity.
 - (2) If any non-Federal funds have been paid or will be paid to any person, they will complete and submit a "Disclosure of Lobbying Activities" form (Disclosure Form).
 - (3) The language of this certification will be included in their award documents for all subawards at all tiers (including subcontracts, subawards and contracts under awards, and cooperative agreements), and all subrecipients shall certify and disclose accordingly.
 - (4) Each person, if applicable, shall submit the Disclosure Form to the agency making their award. The subrecipient is responsible for reporting lobbying activities of its employees if the employee's tenure is less than 130 working days within one year immediately preceding the date of the subrecipient's application or proposal submission.
 - (5) A subrecipient, who requests or receives Federal funds exceeding \$100,000, shall be required to file with the agency making their award a certification and a Disclosure Form, if applicable. All certifications shall be maintained

by the agency making the award and all Disclosure Forms shall be forwarded from tier to tier until received by the Federal agency making the award. That agency shall forward all Disclosure Forms to the awarding agency. The Disclosure Form shall contain the following information:

- (a) Name and address of reporting entity;
 - (b) Federal program name;
 - (c) Federal award number;
 - (d) Federal award amount; and
 - (e) Name and address of lobbying registrant.
- c. The above requirements DO NOT apply to Federally recognized Indian tribes or tribal organizations, or any other Indian organization with respect to expenditures specifically permitted by other Federal law.
- d. Each person shall file a Disclosure Form at the end of each calendar quarter in which there occurs any event that requires disclosure or that materially affects the accuracy of the information contained in any Disclosure Form previously filed by such persons. Examples of such events are:
- (1) A cumulative increase of \$25,000 or more in the amount paid or expected to be paid for influencing or attempting to influence a covered Federal action;
 - (2) A change in the person(s) or individual(s) influencing or attempting to influence a covered Federal action; or
 - (3) A change in the officer(s), employee(s), or member(s) contacted to influence or attempt to influence a covered Federal action.
- e. Penalties and enforcement of lobbying restrictions shall be as follows:
- (1) Any person who makes an expenditure prohibited by the New Restrictions on Lobbying shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such expenditure.
 - (2) Any person who fails to file or amend the Disclosure Form to be filed or amended, if required, shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

To summarize, the common rule for lobbying requires certification that subrecipients certify they will comply with the lobbying common rule. The requirement is only for awards made exceeding \$100,000.

To comply with the certification requirements provided in the common rules for lobbying, drug-free workplace, and suspension and debarment (so the subrecipients do not have to sign three certifications), they have been combined into OJP Form 4061/6, entitled "Certifications Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; and Drug-Free Workplace Requirements."

7. **Equal Employment Opportunity Plan (EEOP) Certification:** This certification must be submitted with any grant application. The government-wide common rule for equal opportunity workplace, 28 CFR Part 42.207 and 42.301 provides guidance on requirements that subrecipients shall meet in order to receive Federal funds or, in the case of a recipient who is an individual, certify to OCJP that his or her conduct of award activity will be delivered in an equitable manner to all segments of the service population. This shall include meaningful access for people with limited English proficiency as required by Title VI of the Civil Rights Act. If a subrecipient makes a false certification, the subrecipient is subject to suspension, termination, and debarment.
 - a. OCJP shall be responsible for obtaining an EEOP certification from each sub-recipient agency.
 - b. Sub-recipient agencies:
 - (1) certify that the agency will maintain data to ensure that services are provided in an equitable manner to all segments of the service population and
 - (2) certify an EEOP, if required to be written, must be kept on file and submitted to the Department of Justice. (See [OCJP Appendix F](#))
 - a. Agencies whose certification require that an EEOP be on file with the Department of Justice shall forward said copy to Department of Justice, Office of Civil Rights within 45 days of the award.
 - b. certify that the person in this agency or unit of government who is responsible for reporting formal and informal civil rights complaints and/or findings of discrimination will submit these complaints and/or findings, if any, to the Tennessee Office of Criminal Justice Programs within the Department of Finance and Administration within 45 days of the finding, and/or if the finding occurred prior to the grant award beginning date, within 45 days of the grant award beginning date. [Report Form](#)
 - (3) certify that Services to Limited-English-Proficient (LEP) Persons comply with Title VI of the Civil Rights Act and the Omnibus Crime Control and Safe Streets Act.

- a. Subrecipients are required to take reasonable steps to ensure that LEP persons have meaningful access to their programs.
- b. Meaningful access may entail providing language assistance services, including interpretation and translation services, where necessary.
- c. Subrecipients are encouraged to consider the need for language services for LEP persons served or encountered both in developing their proposals and budgets and in conducting their programs and activities.
- d. Subrecipients must document their process to provide meaningful access for LEP persons.
- e. Resources available for meaningful access are in [Appendix O](#) and http://lep.gov/lep_aug2005.pdf.

To summarize, 28 CFR 42.207 and 42.301 requires that ALL recipients of Federal awards, either direct or in-direct, certify they will comply with EEO requirements. There is no dollar threshold for certification. For assistance in developing an EEO refer to www.ojp.usdoj.gov/ocr/seven.htm.

E. POLICY ON MAKING AWARDS

OCJP will not make an award to any applicant who has an overdue audit or an open audit report where the subrecipient has not attempted to respond or has taken no action to resolve findings. Every applicant for funding is on notice that, unless they are in compliance with the audit requirements, their application may be rejected.

F. AWARD/CONTRACT DOCUMENT

After completion of the review process subrecipients will receive notice of application outcome. If successful, the subrecipient will receive a grant agreement with all required attachments and special conditions for signature. The award agreement will include the following information:

- Award period
- Award number
- Amount of funding
- Special conditions, as appropriate

All correspondence/forms following a grant award notice should refer to the designated grant award number shown on the Grant Award document.

G. CONFLICT OF INTEREST

Personnel and other officials connected with agency-funded programs shall adhere to the following requirements:

1. **Advice:** No official or employee of a State or unit of local government or a non-governmental subrecipient shall participate personally through decisions, approval, disapproval, recommendation, the rendering of advice, investigation, or otherwise in any proceeding, application, request for a ruling or other determination, contract, award, cooperative agreement, claim, controversy, or other particular matter in which award funds (including program income or other funds generated by Federally-funded activities) are used, where to his/her knowledge, he/she or his/her immediate family, partners, organization other than a public agency in which he/she is serving as an officer, director, trustee, partner, or employee, or any person or organization with whom he/she is negotiating or has any arrangement concerning prospective employment has a financial interest or less than an arms-length transaction.

2. **Appearance:** In the use of agency project funds, officials or employees of State or local units of government and non-governmental subrecipients shall avoid any action that might result in, or create the appearance of:
 - a. Using his or her official position for private gain;
 - b. Giving preferential treatment to any person;
 - c. Losing complete independence or impartiality;
 - d. Making an official decision outside official channels; or
 - e. Affecting adversely the confidence of the public in the integrity of the government or the program.

For example, where a recipient of federal funds makes sub-awards under any competitive process and an actual conflict or an appearance of a conflict of interest exists, the person for whom the actual or apparent conflict of interest exists should recuse him- or herself not only from reviewing the application for which the conflict exists, but also from the evaluation of all competing applications.

CHAPTER II

ACHIEVEMENT OF OPERATIONAL STATUS

The expectation for accepting an award from OCJP is that the subrecipient will have in place a system that is adequate for carrying out the administrative/financial, as well as the program aspects of the grant award. This includes good communication between the board of directors (if applicable), administrative/financial staff and the program staff. Management should pay particular attention to the budget and expenditure process of the grant award. The subrecipient management has put a great deal of thought into the purpose of the grant, therefore, everyone who works within the grant must be familiar with the fiscal and programmatic aspects of the manual(s) so that the program and funding are managed appropriately

1. **Program and Fiscal Responsibilities:** The subrecipient must establish and maintain program records that assure project activities are in compliance with the approved project narrative. Such records must be readily available for review.
 - a. The subrecipient must establish and maintain fiscal controls and procedures that assure that federal and/or local funds available for the grant program are properly disbursed.
 - b. Funds awarded may be expended only for activities and purposes set forth in the approved project narrative and budget within the approved grant period. (The "grant period" is that period of time listed on the first page of the grant).
 - c. Grant funds must be obligated and expended prior to the termination date of the grant award period. Obligated funds are those funds for which goods or services have been encumbered, such as a valid purchase order or requisition to cover the cost of purchasing an authorized item on or after the begin date. These items or services must have been received and there must be an obligation to pay by the end date of the award period.
2. **Operational Timeline:** Each federally funded project not achieving operational status within sixty (60) days of the beginning date of the grant period listed in the grant must submit a letter to the Department of Finance and Administration, Office of Criminal Justice Programs describing steps taken to initiate the project, reasons for delay, and the projected operational date. If operational status is not achieved within ninety (90) days of the beginning date of the grant period, the subrecipient must submit a second letter explaining the additional delay in implementation. The Office of Criminal Justice Programs may, after reviewing the circumstances, can elect to cancel the project and redistribute funds.

3. **Project Director:** This is the individual who will be in direct operational charge of the project. He/she should be a person who combines knowledge and experience in the project area with ability in administration and supervision of personnel. He/she shares responsibility with the financial office for seeing that all expenditures are within the approved budget and ensures that all reporting requirements are met. It is the responsibility of the Project Director to assure that any subrecipient personnel working within the grant-funded project receive copies of all information distributed from the Office of Criminal Justice Programs, to include a copy of the executed current contract. The individual selected as Project Director cannot be the same person who serves as Financial Director for the project. The Office of Criminal Justice Programs **must be notified in writing** within ten (10) days in the event of a change in Project Director.

The Project Director is responsible for ensuring that client files are maintained on each individual receiving direct or contracted services under this grant. If multiple funding sources support a single function (i.e. shelter), the Project Director must be able to delineate which funding source(s) support which service(s) the individual received. The file on each individual should minimally include identifying information about the individual served, services provided and dates of service(s).

4. **Financial Director:** This is the person who will be responsible for fiscal matters relating to the project and is ultimately in charge of accounting, management of funds, verification of expenditures, and grant financial reports (the Financial Director must be someone other than the Project Director, and their primary responsibility is in financial matters). The Office of Criminal Justice Programs must be notified in writing within ten (10) days in the event there is a change in Financial Director.
5. **Authorized Official:** The individual authorized to enter into binding commitments on behalf of the Implementing Agency. This is the person who will sign any contract between your organization and the state.
 - a. **State and local government agencies**, the authorized officials must be Mayors, City Managers, County Executives/Mayors, District Attorneys, or State Commissioners. The Office of Criminal Justice Programs **must be notified in writing** within ten (10) days in the event of a change in Authorized Official.
 - b. **Non-profit agencies**, the authorized official is the individual who will be signing the grant on behalf of the agency governing board. The grant is generally signed by the board chairperson, thus making the board of directors or governing board financially liable for the service program described in the legal agreement. The governing board is a board of directors whose main function is to establish policies and procedures, adopt rules, regulations and by-laws consistent with the purposes of the agency. In some instances, the board will delegate responsibility for signing the

grant to the executive director. In the event the executive director signs the grant, this in no way relinquishes the board from their responsibilities. The Office of Criminal Justice Programs **must be notified in writing** within ten (10) days in the event there is a change in the Authorized Official or the Board Chair even if they were not the Authorized Official signing the grant contract. See OCJP [Appendix N](#) – Governing Board Responsibility.

6. **OCJP Notifications** – Subrecipients must provide written notification to OCJP within ten (10) days from the date of occurrence of any of the following:
 - a. Any change of address for authorizing official, project director, or financial director for the grant-funded project
 - b. Any lawsuit filed by clients or employees of the implementing agency
 - c. Any cessation or interruption of implementation of project activities arising from litigation, loss of staff, or programmatic restructuring
 - d. Change in project site or location
 - e. Change in, or temporary absence of, project director or financial director
 - f. **Change in the name of the person responsible for reporting civil rights findings of discrimination**
 - g. Addition of supplies or equipment to project budget not previously identified
 - h. Change in scope of programmatic activities or purpose of project
 - i. Change in e-mail address of project director, financial director, authorized official or any personnel funded by this grant.
 - j. Change in grant funded personnel positions ie: Domestic Violence officers, Victim Witness Coordinators, Attorneys, etc.
 - k. Vacancies in all grant funded positions MUST be reported in writing (e- mail, fax, mail) to OCJP within 10 days of the vacancy. All grant funded vacant positions MUST be filled within 45 days of the vacancy. Failure to abide by this requirement may result in the agency losing the position(s) in question. If the position(s) is/are not filled within 45 days, the subrecipient must submit a letter to

OCJP justifying the delay in filling the position and explaining how the program is providing services while the position is vacant.

Once the vacant position(s) is filled the subrecipient agency MUST notify OCJP in writing within 10 days of the following information as it pertains to the new employee(s):

- Position Title
- Name of Employee
- Date Hired
- Salary
- Percent of time allotted to the grant funded project
- Job Description

CHAPTER III FINANCIAL REQUIREMENTS

A. STANDARDS FOR FINANCIAL MANAGEMENT SYSTEMS

All grant subrecipients are required to establish and maintain grant accounting systems and Financial records to accurately account for funds awarded to them. ([OMB Circular A-87](#), "Cost Principles for State, Local and Indian Tribal Governments." [OMB Circular A-122](#), "Cost Principles for Nonprofit Organizations.")

1. **Accounting Systems:** These records shall include both Federal funds and all matching funds when applicable. Subrecipients shall expend and account for grant funds in accordance with State and local laws and procedures for expending and accounting for their own funds. State and local procedures must ensure compliance with the financial management standards found at 28 CFR Parts 66 and 70.
 - a. Each sub-recipient is responsible for establishing and maintaining an adequate system of accounting and internal controls. Each subrecipient is also responsible for ensuring that an adequate system exists for any subcontractors, when applicable.
 - b. An acceptable and adequate accounting system:
 - (1) Presents and classifies projected historical cost of the grant as required for budgetary evaluation purposes;
 - (2) Provides cost and property control to ensure optimal use of funds;
 - (3) Controls funds and other resources to assure that the expenditure of funds and use of property are in conformance with any general or special conditions that apply to the subrecipient;
 - (4) Meets the prescribed requirements for periodic financial reporting of operations; and
 - (5) Provides financial data for planning, control, measurement, and evaluation of direct and indirect costs.
2. **Accounting Systems Criteria:** The subrecipient is free to use any accounting system that the subrecipient has established if the system meets the following minimum criteria:
 - a. Receipts should be classified by the source of funding, i.e. – the name and number of the grant to which the costs will be charged. As a matter of convenience, subrecipients are encouraged to use

the grant award number assigned to the project by the Office of Criminal Justice Programs, unless currently existing agency coding structures prevents this. If costs attributable to the grant program will include those from sources other than the federal grant, such as match, donations, income earned by the project, or funds from other sources, this should be clearly noted on receipts.

- b. Expenditures should be classified by the budget categories included in the grant application. All expenditure documents, regardless of type, must include the assigned subgrant number. Non-federal matching funds required at the project level must be classified in these same categories.
 - c. Entries in the accounting records should refer to subsidiary records and/or documentation that supports the entry and which can be readily located.
 - d. Each grant should be accounted for separately. Each year of a continuation grant is regarded as coming from a separate fund source and should be accounted for as such. All project records should reflect the grant number listed on the award document. Subrecipients are prohibited from commingling funds on either a program-by-program basis or a project-by-project basis.
 - e. The accounting system must be such as to provide adequate information for the prompt and proper submission of semi-annual and annual financial reports.
 - f. The accounting system should be integrated with an adequate system of internal controls to safeguard the funds and assets covered, check the accuracy and reliability of accounting data, promote operational efficiency and encourage adherence to prescribed management policies.
 - g. The accounting system should include a system of property records for all equipment (see equipment section).
 - h. All required financial records shall be maintained for three years from the date of the final financial report or until all questions arising from audit have been resolved.
3. **Reporting Irregularities:** The recipient is responsible for promptly notifying OCJP, the Department of Justice, the Federal cognizant audit agency, and the State of Tennessee Comptroller of any illegal acts or irregularities and of proposed and actual actions, if any. Please notify the Office of the Comptroller Customer Services Center at 1-800-458-0786 and the State of Tennessee Comptroller Hotline at 1-800-232-5454 if any irregularities occur illegal acts include:
- a. Conflicts of interest
 - b. Falsification of records or reports
 - c. Misappropriation of funds or other assets

4. **Commingling of Funds:** The accounting systems of all subrecipients must ensure that:
 - a. Agency funds are not commingled with funds from other Federal agencies.
 - b. Commingling funds on either a program-by-program basis or project-by-project basis are prohibited.
 - c. Funds specifically budgeted and/or received for one project may not be used to support another. The subrecipient must establish a system to provide adequate fund accountability for each project.

5. **Supplanting of Funds:** Federal funds must be used to supplement existing funds for program activities and not replace those funds, which have been appropriated for the same purpose. Potential supplanting will be the subject of application review, as well as pre-award review, post-award monitoring, and audit. If there is a potential presence of supplanting, the subrecipient will be required to supply documentation demonstrating that the reduction in non-Federal resources occurred for reasons other than the receipt or expected receipt of Federal funds.

6. **Match Requirements:** Federal Grant funds may be used to pay the pre-set percentage of the cost of a project.(see chart below) *The remaining non-federal share must be in cash or in-kind from non-federal funds.* Funds may be used to implement new projects or enhance existing projects. Funds required to pay the non-federal portion of the cost of each project must be in addition to funds that would otherwise be available for the project.

A	B	C	D
FUND	TYPE	FEDERAL REIMBURSEMENT RATE	MATCH PERCENTAGE
BYRNE/JAG	Cash or in-kind	75%	25%
FVS	Cash or in-kind	65% first year/80% thereafter	35% first year/20% thereafter
STOP	Cash or in-kind	75%	25%
VOCA	Cash or in-kind	80%	20%
RSAT	Cash	75%	25%

The formula to be used in calculating match and total cost requirements is:

Federal Funds divided by Federal Reimbursement Rate = TOTAL Cost
TOTAL Cost multiplied by Match Percentage =TOTAL Match Amount

- a. Funds may be used to implement new projects or enhance existing projects.
- b. Funds required to pay the non-federal portion of the cost of each project for which a grant is made must be in addition to funds that would otherwise be available for the project.

- c. Cash match (hard) includes actual cash spent by the subrecipient for related costs and may be applied from the following sources:
 - (1) Funds from State and local units of government that have a binding commitment of matching funds for programs or projects.
 - (2) Funds contributed from private sources.
 - (3) Program income and the related interest earned on that program income generated from projects may be used as match provided it is identified and approved prior to making an award.
 - (4) Funds appropriated by Congress for the activities of any agency of a Tribal government or the Bureau of Indian Affairs performing law enforcement functions of Tribal lands may be used as matching funds.
 - (5) Otherwise authorized by law.
- d. In-kind match may include:
 - (1) Donations of expendable equipment
 - (2) Office supplies
 - (3) Workshop or classroom materials
 - (4) Work space
 - (5) Monetary value of time contributed by professional and technical personnel and other skilled and unskilled labor if the services they provide are an integral and necessary part of a funded project.
 - (a) The value placed on donated services must be consistent with the rate of compensation paid for similar work in the organization or the labor market.
 - (b) Fringe benefits may be included in the valuation.
 - (c) Volunteer services must be documented, and supported by the same methods used by the recipient organization for its own employees.
 - (d) The value of donated space may not exceed the fair rental value of comparable space as established by an independent appraisal of comparable space and facilities in a privately owned building in the same locality.

The basis for determining the value of personal services, materials, equipment and space must be documented.

Each subrecipient organization must utilize a tracking system which clearly shows the source and use of these matching funds, as well as the period during which the funds were utilized in direct support of the project.

7. **Payment Method:** Currently OCJP utilizes either the Journal Voucher process or the Invoice for Reimbursement process as methods of payment:

a. **Journal Vouchers:** This method of payment is used for grants funded to State agencies. This payment method reimburses the subrecipient based upon actual costs incurred by the subrecipient in carrying out the activity of the grant. As the subrecipient incurs costs, those costs are conveyed to the funding source (OCJP) following one of the State of Tennessee Journal Voucher methods described below. Following Journal Voucher processing, deposits (reimbursement) via the recognition of revenue are made to the account of the state subrecipient.

(1) **Centralized Journal Vouchers (Type I)** – The centralized journal voucher method of billing should be followed for **all** funding arrangements that allow for it. This method is the most efficient and cost effective manner of processing interdepartmental billings. In those instances where the billing agency records costs to be billed to another agency in a dedicated cost center, grant, or agency object, the two agencies involved will sign a billing agreement and forward the agreement to the Division of Accounts who will then generate a front-end billing for the two agencies. See OCJP [Appendix M](#) for a further explanation of the Centralized Journal Voucher process and the Agency Agreement for Direct Billing of Expenditures Form.

(2) **Type J** – The manual Type J journal voucher is explained in detail by the Department of Finance and Administration Policy Statement Number 18 detailed in the State of Tennessee Administrative Policies. In accordance with [Policy 18](#), Type J "Billings totaling \$2,500.01 through \$350,000.00 shall be billed at least monthly. Billings totaling more than \$350,000.00 shall submit a completed journal voucher within 5 working days after the expense/expenditure is incurred or the service is rendered." "Billing for less than \$2,500.00 should be held until cumulative billings for a quarter total \$2,500.00." "All billings however small shall be billed quarterly in the month following each quarter end (i.e. billed in October for the July through September quarter)." Type J Journal Vouchers should be submitted to Department of Finance and Administration, Office of Business and Finance, 20th Floor William R. Snodgrass Tennessee Tower, 312 8th Avenue North, Nashville, TN 37243, OCJPJV@state.tn.us Once received, the Journal Voucher is

then processed for payment through the Department of Finance & Administration Office of Business and Finance

- b. **Invoice for Reimbursement:** The invoice is used by non-state agencies to request monthly reimbursement for expenditures incurred by the subrecipient. Subrecipient agencies should invoice monthly, based on expenditures incurred but all subrecipient agencies must request reimbursement at least once per quarter. Funds will be distributed to subrecipients upon receipt of a properly prepared and signed invoice. Funds cannot be disbursed based on budgeted amounts. The expense must have actually occurred before the line item reimbursement can be made. (Please see [OCJP Appendix I](#) for the Invoice Reimbursement Form and Detailed Instructions.) There are two options available for submitting the monthly Invoice for Reimbursement Form, (1) mailing in the paper form, or (2) submitting the form electronically – by e-mail (or diskette if the subrecipient does not have e-mail). Faxed invoices will no longer be accepted. Monthly invoices should be submitted to OCJP INVOICE, Department of Finance and Administration, Office of Business and Finance, 20th floor William R. Snodgrass Tennessee Tower, 312 8th Avenue North, Nashville, TN 37243, [OCJP INVOICE@state.tn.us](mailto:OCJP_INVOICE@state.tn.us).
 - c. **Accrued Liability:** A State of Tennessee accrued liability process occurs at the end of each state fiscal year (June 30th) and allows non-state agencies an opportunity to receive payment for documented, reimbursable expenses that have not been reimbursed by the State of Tennessee by the time the State's annual conversion period to the new fiscal year occurs. The state's annual conversion period begins approximately July 10th and continues approximately three weeks. During the conversion period, no payments can be made to state grant subrecipients. In preparation for this conversion period, all non-state agencies will receive a notification letter on/or before June 15th of each fiscal year detailing the proper procedures for fiscal year-end processing and payment of invoices. These procedures will include instructions to establish an accrued liability, if needed, by grant subrecipients. The accrued liability process must be followed, if needed, to ensure reimbursement for subrecipient expenses that are non-reimbursed prior to the year-end conversion period.
8. **Obligation of Funds:** An obligation occurs when funds are encumbered, such as a valid purchase order or requisition to cover the cost of purchasing an authorized item on or after the begin date and up to the last day of the grant period in the award. Any funds not properly obligated by the subrecipient within the grant award period will lapse and revert back to OCJP. The obligation deadline is the last day of the grant award period unless otherwise stipulated. (Example: If the award period is 7/01/06 to 6/30/07, the obligation deadline is 6/30/07).

CHAPTER IV

PROGRAM INCOME PROCEDURES

Program income may be used to supplement project costs or reduce project costs or may be refunded to the Federal government. Program income may only be used for allowable program costs. Unless specified by OCJP, program income should be used as earned and expended as soon as possible.

A. **Program Income Defined**

Program income, as described in 28CFR, Part 66.25, means gross income received by the subrecipient directly generated by a grant supported activity, or earned only as a result of the grant agreement during the grant period. “During the grant period” is the time between the effective date of the award and the ending date of the award.

B. **Examples of Program Income and Disposition Requirements and the Policies Governing the Disposition of the Various Types of Program Income**

1. **Addition Method of Handling Program Income:** In the absence of other restrictions on disposition contained within the grant or the terms and conditions of the project, program income shall be added to the funds committed in the grant. The program income shall be used as earned by the subrecipient for any purpose that furthers the broad objectives of the legislation under which the grant was made (i.e., expanding the project or program, continuing the project or program that furthers the broad objectives of the State, obtaining equipment or other assets needed for the project or program, or for other activities that further the statute’s objectives).
2. **Sale of Property:** In the case of real property purchased in part with Federal funds, the subrecipient may be permitted to retain title upon compensating OCJP for its fair share of the property. The Federal share of the property shall be computed by applying the Grant specific percentage of the Federal participation in the total cost of the project for which the project was acquired to the current fair market value of the property.
3. **Royalties:** Subrecipients shall retain all royalties received from copyrights or other works developed under projects or from patents and inventions, unless the terms and conditions of the project provide otherwise, or a specific agreement governing such royalties has been negotiated between OCJP and the subrecipient.
4. **Attorney’s Fees and Costs:** Income received pursuant to a court-ordered award of attorney’s fees or costs, which is received subsequent to completion of the project, is program income to the extent that it represents a reimbursement for attorney’s fees and costs originally paid

under the award. Disposition of such program income is subject to the restrictions on the use of program income set forth in the grant.

5. **Registration/Tuition Fees:** These types of program income shall be treated in accordance with disposition instructions set forth in the project's terms and conditions.
6. **Asset Seizures and Forfeitures:** Income received from the sale of seized and forfeited assets (personal or real property) or the seized and forfeited money shall follow the "Additional Method" of handling program income. The following policies apply to program income from asset seizures and forfeitures:
 - a. Program income, with the approval of the OCJP, may be retained by the entity earning the program income or used by OCJP for the purpose that furthers the objectives of the legislation under which the grant was made.
 - b. States or local units of government, MAY USE PROGRAM INCOME FUNDS FROM SEIZED AND FORFEITURE ASSETS AS MATCH, when assets are adjudicated by a State Court, in accordance with the State law. In addition, State and local units of government MAY use cash received under the equitable sharing program from the non-Federal portion (match) of program costs, as provided for in the guidelines established by the DOJ Asset Forfeiture Office, when the assets are adjudicated by a Federal Court.

Note: Fines as a result of law enforcement activities are not considered program income.

C. **Accounting for Program Income**

All income generated as a direct result of an agency-funded project shall be deemed program income. Program income must be used for the purposes and under the conditions applicable to the grant. Unless specified by OCJP, program income should be used as earned and expended as soon as possible. If the cost is allowable under the Federal grant program, then the cost would be allowable using program income. Current program income information for State and Local Government and Educational subrecipients should be reported on the Quarterly Program Income Summary Report. (See [OCJP Appendix L](#)). Current program income information should be reported by Non-profit agency subrecipients on the Policy 03 Tennessee Uniform Subrecipient Reporting For Non-profit Agencies. The program income amount, if any, is reported on line 39 of Schedule B. (See [OCJP Appendix J](#)). If there is no special condition on the grant concerning the accounting for program income after the funding period, then program income can be used at the discretion of the subrecipient.

Note: State and Local Government and Educational subrecipients who do not generate program income may submit this report form annually 30 days after the end of the fiscal year or end of the grant period.

CHAPTER V

AUDIT REQUIREMENTS

This chapter establishes responsibilities for the audit of organizations receiving Federal funds. The intent of this section is to identify the policies for determining the proper and effective use of public funds rather than prescribed procedures for the conduct of an audit. Subrecipients shall adhere to the audit requirements stated in the contract.

NOTE: Non-profit subrecipients should review audit requirements as specified in *Accounting and Financial Reporting for Not-For-Profit Recipients of Grant Funds in Tennessee* as well as [OMB Circular A-133](#) “Audits of State, Local Government and Nonprofit Institutions.”

A. Audit Objectives

Awards are subject to conditions of fiscal, program, and general administration to which the subrecipient expressly agrees. Accordingly, the audit objective is to review the subrecipient’s administration of funds and required non-Federal contributions for the purpose of determining whether the subrecipient has:

1. Established an accounting system integrated with adequate internal fiscal and management controls to provide full accountability for revenues, expenditures, assets, and liabilities. This system should provide reasonable assurance that the organization is managing Federal financial assistance programs in compliance with applicable laws and regulations.
2. Prepared financial statements which are presented fairly, in accordance with generally accepted accounting principles.
3. Submitted financial reports which contain accurate and reliable financial data and are presented in accordance with the terms of applicable agreements.
4. Expended Federal funds in accordance with the terms of the contract and those provisions of Federal law or regulations that could have a material effect on the financial statements or on the awards tested.

B. Audit Reporting Requirements

Independent auditors should follow the requirements prescribed in OMB Circular A-133. If the auditor becomes aware of illegal acts or other irregularities, prompt notice shall be given to subrecipient management officials above the level of involvement. The subrecipient, in turn, shall promptly notify OCJP of the illegal acts or irregularities and proposed and actual actions, if any. All subrecipient personnel have the responsibility to inform the Tennessee Comptroller of the Treasury and State and local law enforcement agencies or prosecuting authorities, as appropriate, of any known violations of the law within their area of jurisdiction.

Costs for audits not required or performed in accordance with OMB A-133 are unallowable. If the subrecipient did not expend \$500,000 or more in Federal funds in its fiscal year but contracted with a certified public accountant to perform an audit, these costs may not be charged to the grant.

C. Failure to Comply

Failure to have audits performed as required may result in the withholding of new awards and/or withholding of funds or change in the method of payment on active grants.

D. Audit Threshold

1. Non-Federal entities that expend \$500,000 or more in Federal funds (from all sources including pass-through subawards) in the organization fiscal year (12 month turnaround reporting period) shall have a single organization wide audit conducted in accordance with the provisions of OMB Circular A-133.
2. Non-Federal entities that expend less than \$500,000 a year in Federal awards are exempt from Federal audit requirements for that year. Records must be available for review or audit by appropriate officials including the Federal agency.

E. Due Dates for Audit Reports

Audits are due (9) months after the close of the fiscal year.

F. Resolution of Audit Reports

Timely action on recommendations by responsible management officials is an integral part of the effectiveness of an audit. Each subrecipient shall have policies and procedures for responding to audit recommendations by designating officials responsible for:

1. Follow-up;
2. Maintaining a record of the action taken on recommendations and time schedules for completing corrective action;
3. Implementing audit recommendations;
4. Submitting periodic reports to OCJP on recommendations and actions taken.

G. Distribution of Audit Reports

The submission of audit reports for all subrecipients shall be as follows:

1. OCJP
2. Tennessee Comptroller of the Treasury
3. Commissioner of Finance and Administration

OCJP monitors the audit requirements through its audit tracking system and is responsible for tracking audit reports received through the audit process until resolved and closed.

CHAPTER VI PERSONNEL POLICIES AND PROCEDURES

Agency records and accounting systems must include the following components for personnel approved in the project's budget:

A. **Personnel Policies and Procedures**

1. **The subrecipient must have written personnel policies and procedures with regard to:**
 - a. Work hours
 - b. Holidays, vacations, sick leave, and other leave time
 - c. Overtime pay and compensatory time
 - d. Termination
 - e. Qualifications
 - f. Written job descriptions
 - g. Training Received
 - h. Supervision of Staff
 - i. Screening of staff to ensure that children and vulnerable adults are protected. Possible Background Checks could include the following:
 - Sex Offender Registry (TBI Website)
 - Criminal History Check
 - Driving Record Check (if transporting clients)
 - Proof of Liability Insurance (if transporting clients)
 - j. **Verification of employee's references.**

Project officials must ensure that employees working on the grant-funded project are not receiving duplicate compensation (i.e., being paid with the grant funds while receiving a salary for the same periods from another source).

Overtime pay must be authorized in the approved budget, or prior written approval must be obtained from OCJP before any overtime is worked. Salary supplements or bonuses, including severance provisions, to subrecipients may not be paid with federal funds without prior OCJP written approval. Personnel working for more than one project must have sufficient records to show an accurate accounting of each project which have hours recorded to them. This can usually be accomplished by having personnel keep a detailed log of their activities for each project. Time sheets must accurately reflect hours spent working in separate programs.

2. **Personnel Costs:** Time and Attendance Records – Accurate time and attendance records are required to be maintained for all personnel whose salary is charged to the project. These records should minimally contain the following information:

- a. Date (day, month and year)
- b. Employee's name
- c. Position title
- d. Total daily hours charged to the project
- e. Employee's signature
- f. Project director's or supervisor's signature
- h. Grant number

The subrecipient may use any form that provides the above information.

3. **Personnel Qualifications:** The narrative section of the grant application includes job descriptions determined by the subrecipient agency which establish the qualifications for each position. If an employee does not meet agency established personnel qualifications, a waiver must be requested from the Office of Criminal Justice Programs. The Office of Criminal Justice Programs must approve prior to employment any staff employee not meeting these requirements. A written waiver of personnel qualifications must be requested prior to the employee's employment. The written request for the waiver must explain the reason(s) for employing a staff person who does not meet the personnel qualifications. If approved, a copy of the request for waiver must be maintained in the employee's personnel file. The waiver request will approve the period of the individual's employment in the position and is applicable to that individual only.

To satisfy the requirement that staff members are qualified for the positions in which they are employed, it is necessary that the agency obtain verification of education prior to employment and/or training. Resumes of former work experience and references for new employees are strongly recommended.

4. **Personnel File Requirements:** Agencies are required to maintain personnel files for all staff employed by grant monies or volunteers associated with this grant. These records should minimally contain the following information:
 - a. **Documentation of verified** character/employment references
 - b. An agency application
 - c. A signed release of information
 - d. Job description
 - e. Documentation of training/certification received such as the topic, presenter, length of training, dates
 - f. Documentation of minimum qualifications
 - g. Documentation of background checks

For RSAT specific personnel requirements see [RSAT Chapter IV](#).

For specific volunteer requirements for VOCA see [VOCA Chapter II](#).

CHAPTER VII REPORTING REQUIREMENTS

All subrecipients are responsible for periodic reporting on their projects to OCJP. The following are required generic reports.

A. **Policy 03 Quarterly Expense and Revenue Report (Non-profit Agencies Only)**

This report consists of the Program Expense Report (Schedule A), the Program Revenue Report (Schedule B), and the Final Program Expense Summary Page (Schedule C). Schedule A is used for submitting detailed and total expense budgets and for detailed and total expense reports. Scheduled B is used for submitting revenue budgets and for revenue reports by source with reconciliation between total expense and reimbursable expenses. Program Income, if any, is reported on line 39 of Schedule B. Schedule C is intended to recap all direct expenses in one column, as well as determine a grand total of all expenses. Policy 03 Quarterly Expense and Revenue Reports are due no later than fifteen (15) days following the end of the quarter for which the report is completed. These reports are sent to the Fiscal Manager at OCJP (See OCJP [Appendix J](#) Policy 03).

NOTE: Non-Profit subrecipients should review reporting requirements as specified in *Accounting and Financial Reporting for Not-For-Profit Recipients of Grant Funds in Tennessee*.

B. **State of Tennessee Journal Vouchers (State Agencies Only)**

This method of payment is used for grants funded to State agencies. This payment method reimburses the subrecipient based upon actual costs incurred by the subrecipient in carrying out the activity of the grant. As the subrecipient incurs costs, those costs are conveyed to the funding source (OCJP) following one of the State of Tennessee Journal Voucher methods described below. Following Journal Voucher processing, deposits (reimbursement) via the recognition of revenue are made to the account of the state subrecipient.

1. **Centralized Journal Vouchers (Type I)** – The centralized journal voucher method of billing should be followed for **all** funding arrangements that allow for it. This method is the most efficient and cost effective manner of processing interdepartmental billings. In those instances where the billing agency records costs to be billed to another agency in a dedicated cost center, grant, or agency object, the two agencies involved will sign a billing agreement and forward the agreement to the Division of Accounts who will then generate a front-end billing for the two agencies. See OCJP [Appendix M](#) for a further explanation of the Centralized Journal Voucher process and the Agency Agreement for Direct Billing of Expenditures Form.
2. **Type J** – The manual Type J journal voucher is explained in detail by the Department of Finance and Administration Policy Statement Number 18

detailed in the State of Tennessee Administrative Policies. In accordance with Policy 18, Type J "Billings totaling \$2,500.01 through \$350,000.00 shall be billed at least monthly. Billings totaling more than \$350,000.00 shall be journal vouchered within 5 working days after the expense/expenditure is incurred or the service is rendered." "Billing for less than \$2,500.00 should be held until cumulative billings for a quarter total \$2,500.00." "All billings however small shall be billed quarterly in the month following each quarter end (i.e. billed in October for the July through September quarter)." Type J Journal Vouchers should be submitted to Department of Finance and Administration, Office of Business and Finance, 20th floor William R. Snodgrass Tennessee Tower, 312 8th Avenue North, Nashville, TN 37243-1700, [OCJP JV@state.tn.us](mailto:OCJPJV@state.tn.us). Once received, the Journal Voucher is then processed for payment through the Department of Finance & Administration Office of Business and Finance. For additional information please see: <http://www.state.tn.us/finance/act/policy18.pdf>

C. Tennessee Department of Finance & Administration Invoice for Reimbursement (Non-profit, Local Government, and Universities Only)

The Invoice for Reimbursement is used to request monthly reimbursement for line-item expenditures incurred by the subrecipient. Expenditures, which are allowable according to the appropriate OCJP Administrative Guide, may be disbursed upon receipt of a properly prepared and invoice signed invoice. Funds cannot be disbursed based on budgeted amounts. The expense must have actually occurred before line-item reimbursement can be made. Monthly invoices should be submitted to: OCJP Invoice, Department of Finance and Administration, Office of Business and Finance, 20th floor William R. Snodgrass Tennessee Tower, 312 8th Avenue North, Nashville, TN 37243-1700 [OCJP INVOICE@state.tn.us](mailto:OCJPINVOICE@state.tn.us). (See OCJP [Appendix I](#), Invoice for Reimbursement).

NOTE: Subrecipient agencies should invoice monthly, based on expenditures incurred but all subrecipient agencies must request reimbursement at least once per quarter.

D. Project Equipment Summary Report

This report is completed on an annual basis, if equipment is purchased with grant funds during the current fiscal year. It is due to OCJP no later than thirty (30) days past the end of the State fiscal year or July 31st. For new projects, the Project Equipment Summary Report should list new or start-up equipment purchases. For multi-year projects, the Project Equipment Report should specifically identify any purchases that have been made for equipment, either totally or in part with grant money, since the last fiscal year. (See [OCJP Appendix K](#) -Project Equipment Summary Report)

E. OCJP Quarterly Program Income Summary Report (State and Local Government and Universities Only)

This report form is completed on a quarterly basis if program income is generated as a direct result of an agency-funded activity. It is due thirty (30) days after the close of each State fiscal year quarter, (July 1 – September 30), (October 1 – December 31), (January 1 – March 31), (April 1, - June 30). All income generated as a direct result of an agency funded project shall be deemed program income and reported via the use of this form. If no program income is generated, this form may be submitted annually 30 days after the end of the fiscal year or end of the grant period. (See [OCJP Appendix L](#) -Quarterly Program Income Report)

Information on reporting requirements and reporting forms for specific grants can be located at the following links:

[Byrne/JAG Grant](#)

See Byrne/JAG Appendix B

[Family Violence Shelter and Shelter Services](#)

See FVS Appendix B

[Governor's Initiative on METH](#)

See METH Appendix A

[STOP – Violence Against Women](#)

See STOP Appendix B

[Victims of Crime Assistance \(VOCA\)](#)

See VOCA Appendix B

[Residential Substance Abuse Treatment \(RSAT\)](#)

See RSAT Appendix B

CHAPTER VIII

SUPPLIES AND OPERATING EXPENSES

A. **Purchasing Procedures**

Purchasing procedures establish the authority and mechanics required in purchasing for the subrecipient's operation. The purpose is to establish guidelines and regulations governing the purchase of supplies, equipment, contractual services, and other items, to ensure that funds are expended in accordance with an approved budget and management's wishes, with consideration of the availability of funds to pay for such purchases, and in compliance with contractual provisions and relevant laws and regulations.

Written purchasing policies and procedures must encompass, but are not limited to, the following items and policies.

1. **Initiation of Purchase:** Any staff member authorized by the Project Director or designee may initiate a purchase. When a purchase is initiated, a standard requisition, or a memorandum describing the type of item and quantity desired, is prepared and signed by the staff member initiating purchase.
2. **Authorization of Purchase:** Staff members must make direct purchases of items when the total cost does not exceed a prescribed limit. When items may cost more than the prescribed limit, the Project Director or designee must give advance approval of the acquisition. All requisitions, regardless of amount, should be submitted to the Project Director or designee. Orders totaling less than the prescribed limit may be submitted after the order is placed.
3. **Qualification of Vendor:** All vendors providing supplies, equipment, or services should be reputable firms having demonstrated capacity to produce or provide supplies, equipment, services, and other items within a reasonable time or within specific time limits established by the purchaser. Vendors should be subject to disqualification if they misrepresent quality, quantity, or price of what is being purchased. Vendors that exceed reasonable time limits should also be disqualified.
4. **Selection of Vendors:** Whenever possible, select vendors on the basis of three price quotations or competitive bids. Secure competitive bids for all items exceeding a prescribed limit in unit cost and for aggregate orders exceeding a prescribed limit. Solicit price quotations from qualified vendors for items for which unit costs exceed a prescribed limit. Under certain circumstances supplies, equipment, services, or other items may be purchased without bids or quotations. Quotations may not be necessary if a qualified vendor is the sole source of the items to be purchased, or, in case of emergency, when immediate delivery is necessary for the entity's continued provision of adequate services.

All sole-source purchases should be reviewed by the Project Director or designee. In any event, the Project Director should be apprised of any sole-source purchase as soon as possible. A written memorandum explaining all emergency purchases and all other sole-source purchases exceeding an amount determined by management should be attached to the file copy of the purchase order.

5. **Purchase Orders:** Make all purchase orders (except when specific exceptions are permitted) by submitting consecutively numbered purchase order forms to vendors. The exceptions include contracts for professional services where the contracts serve as detailed documentation), bills for utilities and office rental, and emergency telephone orders. Prepare requisitions or memorandums for emergency orders, travel claims, books, subscriptions, postage, proprietary fees and permits, and similar expenses. They should be approved in advance by the Project Director or designee. After approval, the telephone order or emergency purchase should be made by a person authorized by the Project Director to make emergency telephone orders or purchases.

Complete all purchase orders in triplicate. They must include the date, vendor name, type, quantity, price of supplies and equipment, and other items to be purchased. A staff member officially designated to sign purchase orders should sign each order and submit the original to the vendor. File the first copy numerically. This constitutes an official authorization for disbursement after the order has been satisfactorily filled.

- a. Receipt of supplies and equipment should be certified by a staff member who has been assigned responsibility for receipt of all purchased items. Deliveries should be compared against the second copy of the purchase order and packing slip or invoice and should be examined for conformance to specifications in the order. The packing slip or invoice and the second copy of the purchase order should be signed if the delivery conforms to the purchase order. (If the invoice does not accompany the delivery of goods, the signed packing slip should be compared to the invoice prior to the invoice being approved for payment.) The invoice, requisition, and second copy of the purchase order should be filed in invoice date order, alphabetically by vendor name.
- b. Match billings with the signed invoice, purchase order or requisition. Examine the billing to ensure that the amount requested for payment matches cost, types, and quantities shown on the signed invoice(s).
- c. The Project Director or designee should review the invoice, purchase order, requisition, and billing, and certify as to qualification for payment. No invoice or bill should be paid without such certification.

- d. Purchase orders are not required for utility services (telephone, gas, electricity) or for rental payments. Bills for these services should be reviewed by the appropriate official and paid in accordance with standard procedures for disbursement of funds. However, retain copies of all bills received for rent and utilities and file them chronologically, by vendor, or by expense category for no less than three years.
6. **Disbursement of Funds:** Upon proper certification of invoices and bills, make disbursements in accordance with standard grant procedures for the issuance of checks and vouchers.

B. Supporting Documentation

Present supporting documentation to justify each journal entry. In most cases, staff members should use preprinted sequentially numbered forms, and written policies concerning the use of the forms should be established.

The following are examples of supporting documentation:

- a. All journals and ledgers
- b. Annual financial reports with working papers
- c. Annual program reports, including statistics, with working papers
- d. Bank reconciliations
- e. Bank statements
- f. Checks/Warrants
- g. Contracts
- h. Correspondence
- i. Deposit slips
- j. Fixed assets inventory listings
- k. Inventory count sheets
- l. Invoices
- m. Journal vouchers
- n. Leave requests
- o. Petty cash count sheets
- p. Petty cash receipts
- q. Petty cash reimbursement receipts
- r. Pre-numbered cash receipts
- s. Purchase orders
- t. Support for sole-source-decisions
- u. Telephone logs
- v. Time sheets
- w. Travel claims
- x. Written policies

Maintain a current roster of grant or contract agreements.

Include the following information for each grant:

1. Grantor
2. Grant number
3. Title of grant
4. *Catalog of Federal Domestic Assistance* number
5. Period Covered
6. Approved budget (latest revision)
 - a. Grantor share
 - b. **Matching share**
 - c. Purpose of grant

Maintain a file on each grant. The file should contain at least the following items:

1. Grant agreement, including grant budget
2. All grant agreement amendments
3. Copy of periodic financial reports
4. Other pertinent information (e.g., correspondence, monitoring reports)

Maintain information on in-kind contributions and matching requirements by grant in separate file folders, as necessary.

CHAPTER IX TRAVEL

A. **Travel Voucher**

All expenditures for travel should be substantiated by travel vouchers which contain the following information

1. Name of employee
2. Travel departure point(s) and destination(s)
3. Method of travel with documentation
4. Date and time of departure and return
5. Signature of employee
6. Approval of project director or supervisor
7. Grant number

B. **Documentation of Travel Expenditures**

The travel expenditures should be properly documented and the following documentation should be attached to the travel voucher:

1. Paid motel/hotel receipts
2. Paid car rental bill and justification for renting rather than using public transportation
3. Airplane fare or other commercial transportation receipt
The subrecipient may use any form that provides the above information. All travel claimed must be specifically authorized in the approved budget and must be related to project goals.
In cases of agencies that already have written travel policies, procedures, and rates, personnel should follow those rates or the State rates whichever are lower. The Comprehensive Tennessee Travel Regulations Reimbursement Rate Schedule is a part of this Chapter. Any requests for exceptions higher than these rates must be approved in writing by OCJP.
4. Foreign Travel: Foreign travel includes any travel outside of Canada and the United States and its territories and possessions. Direct charges for foreign travel costs are allowable only when the travel has prior approval of OCJP. Indirect charges for foreign travel are allowable, with prior approval of OCJP, when approved as part of the Federally approved indirect cost rate and they have a beneficial relationship to the project.

Note: Currently, reimbursement for a single meal for employees on a one day travel status will no longer be permitted. This change is being made in order to move the State into compliance with Internal Revenue Services regulations, which require such reimbursement to be treated as taxable income.

(see [OCJP Appendix D](#)-Complete Tennessee Travel Regulations)

Travel Reimbursement rate: <http://www.state.tn.us/finance/act/policy8.pdf> p.11

CHAPTER X PROPERTY AND EQUIPMENT

Grant subrecipients are required to be prudent in the acquisition and management of property purchased with federal funds. Expenditure of funds for the acquisition of new property, when suitable property required for the successful execution of projects is already available within the organization will be considered an unnecessary expenditure.

A. **Equipment Acquired with Crime Control Act Block/Formula Funds (BJA)**

Equipment acquired shall be used and managed to ensure that the equipment is used for criminal justice purposes. Standards and procedures governing ownership, use, management, and disposition are as follows:

1. **Title:** The Omnibus Crime Control and Safe Streets Act of 1968, as amended, 42 USC §3789, *et seq* Section 808, requires that the title to all equipment and supplies purchased with funds made available under the Crime Control Act shall vest in the criminal justice agency or non-profit organization that purchased the property, if it provides written certification to the State office that it will use the property for criminal justice purposes through the subrecipient application process.
2. **Use and Management:** A subrecipient or State shall use and manage equipment in accordance with their own procedures as long as the equipment is used for criminal justice purposes.

B. **Screening**

Careful screening should take place before acquiring property in order to ensure that it is needed with particular consideration given to whether equipment already in the possession of the organization can meet identified needs. While there is no prescribed standard for such a review, the subrecipient may establish procedures for a level of review dependent on facts such as the cost of the proposed equipment and the size of the organization. The establishment of a screening committee may facilitate the process; however, a subrecipient may utilize other management techniques which it finds effective as a basis for determining that the property is needed and that it is not already available within the organization.

If the OCJP determines that the grant subrecipient does not employ an adequate property management system, project costs associated with the acquisition of the property may be disallowed.

C. **Documentation**

Receipts or invoices with order dates are required on all equipment items purchased with grant funds. Receipts should be approved and initialed by the Project Director or other authorized individual prior to payment. Invoices should be marked paid and should have the date, check number, grant number and initials of the Project Director on them. Documentation of equipment purchased and supporting receipts should also be

maintained to provide for easier documentation on the annual Project Equipment Summary Report ([OCJP Appendix K](#)), which requires a listing of all equipment purchased via grant funds during the year.

D. **Management and Oversight of Equipment**

Subrecipient procedures for managing equipment (including replacement), whether acquired in whole or in part with project funds, shall, at a minimum, include the following requirements:

1. Property records or equipment inventory records must be maintained which include:
 - a. Purchasing grant award number;
 - b. Description of the property;
 - c. Serial number or other identification number;
 - d. Identification of who holds the title;
 - e. Acquisition date;
 - f. Cost of the property;
 - g. Percentage of Federal participation in the cost of the property;
 - h. Location of property;
 - i. Use and condition of property;
 - j. Disposition data including the date of disposal and sale price.
2. A physical inventory of the property must be taken and the results reconciled with the property records at least once every two years.
3. A control system must exist to ensure adequate safeguards to prevent:
 - a. Loss
 - b. Damage or
 - c. Theft of the property

Note: Any loss, damage, or theft shall be investigated by the subrecipient, as appropriate. Subrecipients are responsible for replacing or repairing the property that is willfully or negligently lost, stolen, damaged, or destroyed. Any loss, damage, or theft of the property must be investigated and fully documented and made part of the official project records.
4. Adequate maintenance procedures must exist to keep the property in good condition.
5. If the subrecipient is authorized or required to sell the property, proper sales procedures must be established to ensure the highest possible return.

E. **Purchase of Computers and Related Equipment**

All computers, servers, workstations, printers, scanners, and software purchased with federal funds must adhere to the Computer Guidelines for the Office of Criminal Justice ([OCJP Appendix C](#)) technical capability and computer compatibility among various services being provided by the State, and Federal governments.

F. **Disposition of Equipment**

In the event of the termination of an OCJP grant prior to the end of the grant term, OCJP subrecipients should contact OCJP for instructions regarding equipment disposition.

G. **Project Equipment Summary Form**

Grant subrecipients shall complete the Project Equipment Summary Report ([OCJP Appendix K](#)) for all OCJP grants. This form is a list of all equipment purchased during each fiscal year and is completed on an annual basis only if equipment is purchased with OCJP grant funds.

CHAPTER XI

PUBLICATIONS

A. Definition

Publication shall be construed as the initiation of the procurement of writing, editing, preparation of related illustration material, including videos from subrecipients, or the internal printing requirements of the subrecipient necessary for compliance with the terms of the project. However, individuals are authorized to make or have made by any means available to them, without regard to the copyright of the journal, and without royalty a single copy of any such article for their own use.

B. Upon Publication of Documents

Project directors are encouraged to make the results and accomplishments of their activities available to the public. A subrecipient who publicizes project activities and results shall adhere to the following:

1. Responsibility for the direction of the project should not be ascribed to the Department of Justice, Department of Health and Human Services, or the Tennessee Office of Criminal Justice Programs.
2. All reports, studies, notices, informational pamphlets, press releases, signs, and similar public notices (written, visual or sound) prepared and released by the Grantee shall include the statement:

“This project is funded under an agreement with the State of Tennessee, Department of Finance and Administration, Office of Criminal Justice Programs and is supported by Award # _____ awarded by the Bureau of Justice Assistance, Office of Justice Programs, USDOJ.”

The Award # is located in Section E, Federal Funding Statement of your contract. Additionally, studies and research/report type publications expressing the direction of project activity must also contain the following federal funding statement:

“The opinions, findings, conclusions or recommendations contained within this document are those of the author and do not necessarily reflect the views of the Department of Justice”.

NOTE: FVS GRANTS ONLY

Please refer to [Chapter IV](#) of the FVS Grant Specific information relating to funding statements.

3. A recipient/subrecipient is expected to publish or otherwise make widely available to the public, as requested by OCJP, the results of work conducted or produced under an award.
4. The subrecipient also agrees that one copy of any such publication will be submitted to the Office of Criminal Justice Programs of the Department of

Finance and Administration to be placed on file and distributed as appropriate to other potential subrecipient or interested parties.

5. All publication and distribution agreements with a publisher will include provisions giving the Federal government a royalty-free, non-exclusive, and irrevocable license to reproduce, publish, or otherwise use and to authorize others to use for Federal government purposes. (Refer to Copyrights section of [Chapter 6 of the U.S. Department of Justice, Office of Justice Programs, Office of the Comptroller, Financial Guide.](#))
6. Unless otherwise specified in the award, the subrecipient may copyright any books, publications, films, or other copyrightable material developed or purchased as a result of award activities. Copyrighted material shall be subject to the same provisions of the Federal government.
7. The subrecipient shall submit a publication and distribution plan to the OCJP before materials developed under an award are commercially published or distributed. The plan shall include a description of the materials, the rationale for commercial publication and distribution, the criteria to be used in the selection of a publisher, and, to assure reasonable competition, the identification of firms that will be approached. Prior OCJP approval of this plan is required for publishing project activities and results when Federal funds are used to pay for the

CHAPTER XII

PROCUREMENT OF GOODS AND SERVICES

A. Procurement Standards

1. **General:** The subrecipient shall follow the same policies and procedures it uses for procurement from its non-Federal funds. The subrecipient shall ensure that every purchase order or other contract includes any clauses required by Federal statutes and executive orders, their implementing regulations, and the grant contract provisions.
2. **Standards:** Subrecipients shall use their own procurement procedures and regulations, provided that the procurement conforms to applicable Federal law and the standards identified in the Procurement Standards Sections of 28 CFR Parts 66 and 70. Any subrecipient whose procurement system has been certified by a Federal agency is not subject to prior approval requirements of 28 CFR Parts 66 and 70. OCJP's prior approval will only be required for areas beyond limits of the subrecipient certification.
3. **Adequate Competition:** All procurement transactions, whether negotiated or competitively bid and without regard to dollar value shall be conducted in a manner so as to provide maximum open and free competition. Interagency agreements between units of local government are excluded from this provision.
4. **Non-Competitive Practices:** The subrecipient shall be alert to organizational conflicts of interest or non-competitive practices among contractors that may restrict or eliminate competition or otherwise restrain trade. Contractors that develop or draft specifications, requirements, statements of work, and/or Requests for Proposals (RFP's) for a proposed procurement shall be excluded from bidding or submitting a proposal to compete for the award of such procurement. Any request for exemption must be submitted in writing to OCJP.

CHAPTER XIII

PROCUREMENT OF PROFESSIONAL SERVICES

Subrecipients must secure professional services through competitive bidding or the use of competitive negotiation. **Subrecipient agencies are accountable to OCJP for the work and performance of their contract as procured through a professional service contract.**

A. State Approval(s)

All Requests for written Proposals (RFPs), Invitations to Bid, or other competitive bidding processes and documents are subject to prior written approval of OCJP before being undertaken by the subrecipient.

B. Daily Records

Adequate daily records should be maintained to prove that the professional service contractor has in fact performed the services. They should contain the following information:

1. Hours and dates worked on the project.
2. A description of services performed.
3. Records of actual supplies and operating expenses included in the contract.

C. Professional Services Contracts

A signed, written subcontract along with a detailed description of the competitive bidding process used for all professional services must be forwarded to the OCJP for written approval prior to issuance and maintained on site in the subrecipient's file. Subcontracts must include a complete budget for the subcontracted expenses. The OCJP Subrecipient Contractual Agreement Format (See [OCJP Appendix E-Subrecipient Contractual Agreement](#)) must be used for all subrecipient contracts with other entities.

All contracts for professional services should include at least the following provisions:

1. The identity of the contracting parties.
2. A statement of work expressed in clear, concise terms for tasks to be accomplished.
 - a. The specific duties of the professional service contractor should be stated in such a way that he/she knows what is required and to permit the subrecipient to determine that the requirements have been met before making payment.
 - b. The tasks, when accomplished, should produce results consistent with the project objectives.
 - c. Sentences should be written so that there is no question as to whether or not the professional services contractor is to be

obligated (i.e., “The contractor shall do this work,” not “this work will be required.”)

- d. Persons or committees who will approve reports or specific accomplishments should be specified and part of the contract price should be contingent upon that approval.
- e. Proper reference documents should be described.
- f. Avoid implied requirements and eliminate any material not pertinent to the professional service contract.
- g. Consultant rates of payment are to be reasonable and consistent with that paid for similar services in the market place. Consideration will be given to compensation including fringe benefits for those individuals whose employers do not provide the same. In addition, when the rate exceeds \$450 (excluding travel and subsistence costs) for an eight-hour day, a written **PRIOR APPROVAL** is required from OCJP. Prior approval requests require additional justification. An eight-hour day may include preparation, evaluation, and travel time in addition to the time required for actual performance. Please note, however, that this does not mean that the rate can or should be \$450 for all consultants. Rates should be developed and reviewed on a case-by-case basis and must be reasonable and allowable in accordance with OMB cost principles. Approval of consultant rates in excess of \$450 a day that are part of the original application with appropriate justification and supporting data will be approved on a case-by-case basis.
 - (1) Consultants associated with Educational Institutions: The maximum rate of compensation that will be allowed is the consultant’s academic salary projected for 12 months, divided by 260. These individuals normally receive fringe benefits which include sick leave for a full 12 month period even though they normally only work nine months per year in their academic positions.
 - (2) Consultants Employed by Local Government: Compensation for these consultants will only be allowed when the unit of government will not provide these services without cost. If a local government employee is providing services under a Federal grant and is representing their agency without pay from their respective unit of government, the rate of compensation is not to exceed the daily salary rate for the employee paid by the unit of government. If the local government is providing services under a Federal grant and is not representing their agency, the rate of compensation is based on the necessary and reasonable cost principles.

- (3) Independent Consultants: The rate of compensation for these individuals must be reasonable and consistent with that paid for similar services in the market place. Compensation may include fringe benefits.
3. Professional service contracts shall contain certain suitable provisions for termination by the subrecipient (your organization), including the manner by which it will be effected and the basis for settlement.

Such provisions normally include:
 - a. Termination for default in performance
 - b. Termination for convenience of subrecipient (e.g., discontinuation Of federal funds)
4. Professional service contracts must provide a description of compensation and method of payment.
5. All professional services contracts must include a provision allowing OCJP, the subrecipient, the U.S. Bureau of Justice Assistance (Department of Health and Human Services for FVS grants), and the Comptroller General of the United States, or any of their duly-authorized representatives, to have access, for purpose of audit and examination, to any records pertinent to the grant upon demand.
6. With regard to patents and copyrights, OCJP and the U.S. Bureau of Justice Assistance shall have irrevocable, nonexclusive royalty-free license to any invention and to reproduce, publish, and use any materials, in whole or in part, and authorize others to do so, which are produced utilizing federal funds provided under the terms of a subgrant.
7. Grant oversight continues to remain a key priority for distribution of federal funds. Subrecipients must have written procedures for approving, monitoring and revising professional services contracts. Such policies should clearly define, but not be limited to, the scope, practice, and method of documented support of monitoring professional services contract(s) for, but not limited to, provision of services, allowable/unallowable expenses and contract adherence. State agencies should have professional services contracts monitored by their internal monitoring services.

CHAPTER XIV ALLOWABLE COST

Allowable costs are those costs principles identified in [OMB Circular A-87](#) for State and Local Government, [OMB Circular A-122 for Non-Profits](#) and in the grant program's authorizing legislation. In addition, costs must be reasonable, allocable, necessary to the project, and comply with the funding statute requirements. Discussion of certain elements of the following costs are listed below.

A. Conference and Workshops

Allowable costs may include:

1. Conference and meeting arrangements
2. Publicity
3. Registration
4. Salaries of personnel
5. Rental of staff offices
6. Conference space
7. Recording or translation services
8. Postage
9. Telephone charges
10. Travel expenses (including transportation and subsistence for speakers or participants)
11. Lodging

Effective January 1, 2001, all OCJP funded contracts for events that include lodging for 30 or more participants must not exceed the Federal per diem rate for lodging. In the event the lodging rate is not the Federal per diem rate or less, none of the lodging costs associated with the event would be allowable costs to the award. As a result, the recipient would be required to pay for all lodging costs for the event, not just the amount in excess of the Federal per diem. For example, if the Federal per diem for lodging is \$78 per night, and the event lodging rate is \$100 per night, the recipient must pay the full \$100 per night with non-grant funds, not just the difference of \$22 per night.

B. Food or Beverage

Definition: Food and Beverages retain their common meanings. Food and beverages are considered in the context of formal meals and in the context of refreshments served at short, intermittent breaks during an activity. Beverages do not include alcoholic beverages.

Food and/or beverage expenses provided by subrecipients are allowable subject to the conditions stated below:

1. Food and/or beverages were provided to participants at training sessions, meetings, or conferences that are allowable activities.
2. Expenses incurred for food and/or beverages provided at training sessions, meetings, or conferences must satisfy the following three tests: (Please note: The presence of Federal employees does not prevent the provision of food and beverages under the three-part test)
 - a. The cost of the food and/or beverages provided is considered to be reasonable.
 - b. The food and/or beverages provided are subject of a work related event.
 - c. The food and/or beverages provided are not directly related to amusement or social activities. (Any event where alcohol is being served is considered a social event; and, therefore, costs associated with that event are not allowable.)

The recipient adheres to the applicable definitions for food and beverages contained in the Federal Financial Guide Glossary.

Each recipient that desires to purchase food and/or beverages under a grant, or contract under a grant, should follow the food and beverage policy guidelines. Guidance should be applied within the context of each individual situation. While food and/or beverages are allowable, recipients are not required to provide them at training sessions, meetings, or conferences.

3. To determine whether costs associated with food and/or beverages are allowable, the Subgrantee should consider:
 - a. To whom the food and/or beverages will be provided
 - b. Under what conditions the food and/or beverages will be provided
 - c. That the appropriate test(s) has been satisfied. (see above)
4. The top ten tips for provisions of food and beverages provided under Office of Justice Programs (OJP) follows:
 - a. Provide a speaker at a lunch or dinner
 - b. Support the event with a formal agenda
 - c. The event must be mandatory for all participants
 - d. Do not pay for bar charges using registration fees, program income, etc.
 - e. Do not make alcoholic beverages available at the event
 - f. Provide appropriate break foods
 - g. Surrounding events must provide several hours of substantive information
 - h. Do not end events with a meal or break
 - i. Costs must be reasonable

- j. As a participant, reduce the per diem requested for reimbursement appropriately

C. **Space**

The cost of space in privately - or publicly - owned buildings used for the benefit of the program is allowable subject to the conditions stated below:

- The total cost of space may not exceed the rental cost of comparable space and facilities in a privately owned building in the same locality.
- The cost of space procured for program usage may not be charged to the program for periods of non-occupancy, without authorization of the Federal-awarding agency.

1. **Rental Cost:** The rental cost of space in a privately owned building is allowable. Rent cannot be paid if the building is owned by the grantee or if the grantee has a substantial financial interest in the property. However, the cost of ownership is an allowable expense. Similar costs for a publicly owned building are allowable where "rental rate" systems, or equivalent systems that adequately reflect actual costs, are employed. Such charges must be determined on the basis of actual cost (including depreciation-based on the useful life of the building, operation and maintenance, and other allowable costs). Where these costs are included in rental charges, they may not be charged elsewhere. No costs will be included for purchases or construction that were originally financed by the Federal government.
2. **Maintenance and Operation:** The cost of utilities, insurance, security, janitorial services, elevator services, upkeep of grounds, normal repairs and alterations, and the like are allowable to the extent they are not otherwise included in rental or other charges for space.
3. **Occupancy of Space Under Rental-Purchase or a Lease with Option-to-Purchase Agreement:** The cost of space procured under such arrangements is allowable when specifically approved by OCJP. This type of arrangement may require application of special matching share requirements under construction programs.
4. **Depreciation and Use Allowances on Publicly-Owned Buildings:** Depreciation or a use allowance on idle or excess facilities is NOT ALLOWABLE.

D. **Software Development**

Software development is an allowable cost and may be expended in the period incurred.

E. **Depreciation**

Depreciation is an allowable cost and an accelerated method should **not** be used.

F. **Post-Employment**

Post employment benefits are allowable costs if funded in accordance with actuarial requirements. Funds must be paid within six months of recordation.

G. **General Salaries and Personnel Costs**

Payment of personnel costs are allowable if costs are a part of an approved project and are necessary and incidental to project implementation and operation. Overtime must receive prior OCJP approval and will only be approved on a case by case basis.

H. **Consultant Fees**

Individual consultant fees are limited to \$450 per day or \$56.25 per hour; this includes legal, medical, psychological, training and accounting consultants. (Click here for VOCA specific consultant fee information or see [VOCA Chapter IV – Allowable Cost](#))

I. **Equipment, Software and Hardware**

Equipment and hardware expenses which are part of an approved project, if necessary and incidental to that project, are allowable expenses. (See [OCJP Appendix C](#)- Computer Guidelines)

J. **Travel**

In cases of agencies that already have written travel policies, procedures, and rates subrecipients should follow those rates or the state rates, whichever are lower. Any requests for exceptions higher to these rates must be approved in writing by OCJP. (See [OCJP Appendix D](#)-Tennessee Travel Regulations)

NOTE: Please click on the links below for grant specific allowable cost or see the appropriate grant specific chapter.

For FUND SPECIFIC Allowable Costs see CH IV in your SPECIFIC area.

[Click here to go the Federal Financial Guide-Allowable Cost Chapter for additional information or http://www.ojp.usdoj.gov/FinGuide/part3chap7.htm](http://www.ojp.usdoj.gov/FinGuide/part3chap7.htm)

CHAPTER XV UNALLOWABLE COSTS

A. Construction

Use of OCJP grant funds for construction projects is prohibited.

B. Land Acquisition

The funding legislation specifies that no Federal award involving the renting, leasing, or construction of buildings or other physical facilities shall be used for land acquisition. Accordingly, land acquisition costs are unallowable.

C. Supplanting

Federal funds cannot be used to supplant state or local funds. Supplanting means that federal funds are used to replace state or local funds that would, in the absence of such federal aid, be made available for law enforcement, criminal justice, system improvement, victim compensation and assistance, and drug enforcement. All applicants must certify that formula grant money will be used to increase the amount of funds available for the applicable drug law enforcement, victim service activity or their criminal justice system activity.

D. Compensation of Federal Employees

Salary payments, consulting fees, or other enumeration of full-time Federal employees are unallowable costs.

E. Travel of Federal Employees

Costs of transportation, lodging, subsistence, and related travel expenses of awarding agency employees are unallowable charges. Travel expenses of other federal employees for advisory committee or other program or project duties or assistance are allowable if they have been:

1. Approved by the federal employee's Department or Agency; and
2. Included as an identifiable item in the funds budgeted for the project or subsequently submitted for approval.

F. Bonuses or Commissions

The subrecipient is prohibited from paying any bonus or commission to any individual or organization for the purpose of obtaining approval of an application for award assistance. Bonuses to officers or board members of profit or non-profit organizations are determined to be a profit or fee and are unallowable.

G. Military-Type Equipment (Note: Item G is specific to Byrne/JAG only.)

Costs for such items as armored vehicles, explosive devices, and other items typically associated with the military arsenal, excluding automatic weapons, are unallowable. Exceptions MAY be made by the awarding agency upon a written request and justification from the recipient.

H. Lobbying

All subrecipients must comply with the provisions of the government-wide Common Rule on Restrictions on Lobbying, as appropriate.

1. The following lobbying cost prohibition is applicable to all subrecipients of funding:

- a. Attempting to influence the outcome of any Federal, State, or local election, referendum, initiative, or similar procedure, through in-kind or cash contributions, endorsements, publicity, or similar activity; and
- b. Establishing, administering, contributing to, or paying for the expenses of a political party, campaign, political action committee, or other organization established for the purpose of influencing the outcome of elections.
- c. Attempting to influence: (a) the introduction of Federal or State legislation; or (b) the enactment or modification of any pending Federal or State legislation through communication with any member or employee of the Congress or State legislature (including efforts to influence State or local officials to engage in similar lobbying activity), or with any government official or employee in connection with a decision to sign or veto any legislation.
- d. Publicity or propaganda purposes designed to support or defeat legislation pending before legislative bodies.
- e. Paying, directly or indirectly, for any personal service, advertisement, telegram, telephone, letter, printed or written matter, or other device, intended or designed to influence in any manner a member of Congress or a State legislature, to favor or oppose, by vote or otherwise, any legislation or appropriation by either Congress or a State legislature, whether before or after the introduction of any bill or resolution proposing such legislation or appropriation.
- f. Engaging in legislative liaison activities, including attendance at legislative sessions or committee hearings, gathering information regarding legislation, and analyzing the effect of legislation, when such activities are carried out in support of or in knowing preparation for an effort to engage in unallowable lobbying,

- g. Paying a publicity expert,
- h. The Anti-Lobbying Act, 18 U.S.C. § 1913, recently was amended to expand significantly the restriction on use of appropriated funding for lobbying. This expansion also makes the anti-lobbying restrictions enforceable via large civil penalties, with civil fines between \$10,000 and \$100,000 per each individual occurrence of lobbying activity. These restrictions are in addition to the anti-lobbying and lobbying disclosure restrictions imposed by 31 U.S. C. § 1352.

The Office of Managements and Budget (OMB) is currently in the process of amending the OMB cost circulars and the common rule (codified at 28 C.F.R. Part 69 for DOJ grantees) to reflect these modifications. However, in the interest of full disclosure, all subrecipients understand that no federally appropriated funding made available under this grant program may be used, either directly or indirectly, to support the enactment, repeal, modification, or adoption of any law, regulation, or policy, at any level of government, without the express approval of OCJP. Any violation of this prohibition is subject to a minimum \$10,000 fine for each occurrence. This prohibition applies to all activity, even if currently allowed within the parameters of the existing OMB circulars.

I. Fund Raising

Costs of organized fund raising, including financial campaigns, endowment drives, solicitation of gifts and bequests, and similar expenses incurred solely to raise capital or obtain contributions, may not be charged either as direct or indirect costs against the award. Neither the salary of persons engaged in such activities nor indirect costs associated with those salaries may be charged to the award, except insofar as such persons perform other funding-related activities.

1. An organization may accept donations (i.e., goods, space, services) as long as the value of the donations is not charged as a direct or indirect cost to the grant.
2. A subgrantee may also expend funds, in accordance with approved award terms, to seek future funding sources to “institutionalize” the project, but not for the purpose of raising funds to finance related or complementary project activities.
3. Nothing in this section should be read to prohibit a subrecipient from engaging in fund raising activities as long as Federal or non-Federal award funds do not finance such activities.

J. Corporate Formation

The cost for corporate formation may not be charged either as direct or indirect costs against the award.

K. State and Local Taxes

State and local taxes are unallowable when the government assesses taxes upon itself or disproportionately to Federal programs. An example of an unallowable tax would be if the government levied taxes as a result of Federal funding. An example of an allowable sales tax would be user taxes, such as gasoline tax. These provisions become effective as of the government's fiscal year beginning on or after January 1, 1998.

L. Conferences and Workshops

Unallowable costs include:

1. Entertainment
2. Sports
3. Visas
4. Passport Charges
5. Tips
6. Bar Charges/Alcoholic Beverages
7. Laundry Charges
8. Lodging costs in excess of Federal per diem. For events of 30 or more participants that are funded with an OCJP award, if lodging costs exceed the Federal per diem, none of the lodging costs are allowable, effective January 1, 2001.

M. Other Unallowable Expenses

1. Legal fees
2. Cost in applying for this grant
3. Any expenses prior to the grant award date
4. First Class Travel
5. Management or administrative training
6. Sole source contracts (without the prior written approval from the Office of Criminal Justice Programs)
7. Depreciation or a use allowance on idle or excess facilities.
8. Cost incurred outside the project period. Any costs that are incurred either before the start of the project period or after the expiration of the project period are not allowable.

NOTE: THIS LIST IS NOT ALL-INCLUSIVE. For further clarification contact your OCJP Program Manager.

Please click on the following links for grant specific unallowable cost:

For FUND SPECIFIC Unallowable Costs see CH V in your SPECIFIC area.

For additional information see the [Department of Justice Federal Financial Guide- Unallowable Cost Chapter](http://www.ojp.usdoj.gov/FinGuide/part3chap16.htm). (<http://www.ojp.usdoj.gov/FinGuide/part3chap16.htm>)

CHAPTER XVI INDIRECT COST

A. Definition

Indirect costs are costs of an organization that are not readily assignable to a particular project, but are necessary to the operation of the organization and the performance of the project. The cost of operating and maintaining facilities, depreciation, and administrative salaries are examples of the types of costs that are usually treated as indirect costs.

B. Approved Plan Available

1. Should the subrecipient request reimbursement for indirect cost, the subrecipient must submit to OCJP a copy of the indirect cost rate approved by the cognizant federal agency and OCJP.
2. OCJP may accept any current indirect cost rate or allocation plan previously approved for a subrecipient by the cognizant Federal agency on the basis of allocation methods substantially in accordance with those set forth in the applicable cost circulars.
3. Where the approved final indirect cost rate is lower than the actual indirect cost rate incurred, subrecipients may not charge expenses included in overhead pools (e.g., accounting services, legal services, building occupancy and maintenance, etc.) as direct costs.
4. The subrecipient will be reimbursed indirect costs as detailed in the Grant Budget and as substantiated by the approved indirect cost rate. Once the subrecipient makes an election and treats a given cost as direct or indirect, it must apply that treatment consistently and may not change during the contract period. Any changes in the approved indirect cost rate must have prior approval of the cognizant federal agency and OCJP.

C. No Approved Plan

If an indirect cost proposal for recovery of actual indirect costs is not submitted to the cognizant Federal agency and OCJP within three months of the start of the award period, indirect costs will be irrevocably lost for all months prior to the month that the indirect cost proposal is received. This policy is effective for all contracts.

D. Cost Allocation Plans – Central Support Services

State agencies and local units of government may not charge to an award the cost of central support services supplied by the State or local units of government except pursuant to a cost allocation plan approved by the cognizant Federal agency. The rate which is to be applied may be on a fixed, predetermined, or fixed-with-carry-forward provision.

CHAPTER XVII CONTRACT REVISION

A. Budget Revisions

It is the responsibility of the subrecipient to adhere to the OCJP approved grant budget or in certain circumstances request revision to the budget as modifications become necessary. OCJP recognizes that minor line-item budget revisions may be needed over the course of the grant term. It is therefore permissible to increase or decrease certain line items without OCJP approval, but certain types of budget revisions must receive prior written approval from OCJP. Documentation of any budget modification must be maintained and available for review within the program.

1. Movement of dollars between previously approved budget line-items is acceptable without OCJP written approval, up to ten percent (10%) of the total federal award amount, provided:
 - a. They are non-personnel related line-items.
 - b. They do not include line-items with zero dollar amounts.
 - c. The items within the budget detail worksheet have been previously approved by OCJP.

However, when the cumulative proposed line item change exceeds ten percent (10%) of the total federal award amount, prior written approval from OCJP is required before any movement of dollars can occur. In addition, any changes, including changes in detail or narrative boxes, to personnel line items or line items with zero dollar amounts require prior OCJP written approval.

2. Subrecipient agencies requesting a budget revision as a result of a grant funded position(s) being vacant must adhere to the following
 - a. The vacant position(s) was reported in writing to OCJP within 10 days.
 - b. The vacant position(s) was filled within 45 days or a letter was submitted to OCJP justifying the delay and explaining how services are being provided while the position is vacant.

Failure to abide by this requirement may result in the agency losing the position(s) in question.

3. The movement of money between line items may only occur for allowable expenses. [\(See OCJP Chapter XIV for Allowable Cost and Chapter XV for Unallowable Costs\)](#). Budget revisions do not change the total amount of funding available for the grant.

It is the expectation of OCJP that subrecipients internally review grant budgets regularly to assure that program funds are being utilized as indicated and in a fiscally responsible manner throughout the contract period.

Note: VOCA Grants Only

Budget revisions, requiring OCJP written approval or otherwise, MAY NOT change approved amounts specified in the Subgrant Award Report (SAR) for a particular priority area (domestic violence, sexual assault, child abuse, or previously underserved).

4. **Prior Written Approval Not Required:** Budget line-items may be revised without prior written approval from OCJP if the total amount of non personnel funds to be moved is cumulatively less than 10% of the total federal amount, if the items within the budget detail worksheet have been previously approved by OCJP, and do not include line-items with zero dollar amounts. Subrecipients should routinely review grant budgets to assure program funds are being utilized correctly and efficiently.
5. **Prior Written OCJP Approval Required:**
 - a. When proposed changes to non-personnel line items of grant budgets exceed ten percent (10%) cumulatively of the total federal award amount, written approval from OCJP must be secured prior to implementing the change. Budget revisions requesting retroactive approval to a prior date will not be approved.
 - b. All proposed changes to personnel line items require prior written approval from OCJP.
 - c. All proposed changes to line items with zero dollar amounts require prior written approval from OCJP.
6. **Procedures to Request Budget Revision:** The written request and the revised budget pages must be submitted to OCJP for written approval prior to the changes being implemented and should include the following:
 - a. Complete the Budget Revision Forms provided in the Grant Specific Section of the manual. The Budget Revision Forms locations are at the end of this section for convenience.
 - b. An explanation of why there are excess funds in one or more categories, why funds can be better spent in another category, and the effect the approval or denial of the revision will have on the project purpose goals.
 - c. A complete set of budget sheets that will replace the existing budget. Therefore all line items that are to be included in your current budget must be completed in the proposed revised budget, not just the line items that are revised.
 - d. You are encouraged to submit Budget Revision Forms to your Program Manager electronically.

- e. All budget revision requests, which require OCJP prior approval, must be received prior to June 1, within the fiscal year in question, to be considered. Requests after June 1 will not be considered.
- f. Budget revisions may be hand delivered, mailed, faxed, or e-mailed. It is not good use of grant money to send budget revisions by Fed Ex, priority mail, etc.
- g. Budget revisions are considered for the current fiscal year only.
- h. OCJP will respond in writing, either approving or denying all complete budget revision requests within 15 days of receipt. Written approval from OCJP is required before movement of dollars can occur.

Complete the OCJP Budget Revision Forms for your specific program by clicking on the link below or see the appropriate grant specific appendix.

[VOCA](#) (VOCA Appendix C)

[STOP](#) (STOP Appendix C)

[Family Violence](#) (Family Violence Appendix C)

[Byrne/Jag](#) (Byrne/JAG Appendix C)

[RSAT](#) (RSAT Appendix C)

B. Programmatic Revisions

The subrecipient must obtain prior written approval from OCJP for any change in project purpose/goals or intended outcomes. Program revisions are not necessary for minor changes in activities and outputs, only in changes that significantly change the needs of the clients to be met and the purpose/goals of the project. The following changes in a grant-funded project will require a program revision:

1. Expanding or decreasing the geographic area to be served.
2. Changing the target group to be served.
3. Modifying the types of client needs to be addressed by the project.

While this is not an inclusive list, it is OCJP's intent that a program revision be requested only when a change in direction of a project is anticipated

The written request to make program adjustments must include:

1. A description of the reason(s) for the requested change.
2. A statement describing the effect the requested change would have on the program goals and objectives.
3. A revised project logic model incorporating the revised information.

The written request and the revised program narrative must be submitted to OCJP for written approval prior to the changes.

CHAPTER XVIII

CONTRACT AMENDMENT

A. **Budget Amendment**

Unlike a budget revision, a proposed budget amendment contemplates a change in the overall *federal* funding level of a contract. A budget amendment is necessary anytime the total *federal* funding amount of a grant/contract is increased or decreased. The subrecipient must secure prior written approval from OCJP for any contract budget amendments prior to the official contract amendment process. The written request, accompanied by amended detail and summary budget pages, and any related documentation must be submitted to OCJP for approval. Only after *written* approval by OCJP and contract amendments signed by the subrecipient and the Commissioner of the Department of Finance and Administration will the budget amendment be executed.

B. **Program Amendment**

In order to significantly modify the programmatic goals and/or objectives of an original contract, new Program Narrative Statements must be developed demonstrating any change in the Target Population, Project Goals, Objectives, Project Activities, Collaborative Activities, Performance Measures, Staffing and Multi-Year Goals and Objectives. These proposed changes must be submitted in writing to OCJP for approval. OCJP will in turn review the recommendations and determine if the changes warrant pursuit of a contract program amendment. Only after *written* approval by OCJP and contract amendments signed by the subrecipient and the Commissioner of the Department of Finance and Administration will the program amendment be executed.

C. **Contract Term Amendment**

A contract amendment that is intended to change the term (duration) of a contract must follow the same procedures as described in paragraphs A and B above. Explanation of why the term needs to be changed along with documentation describing how the change will impact the existing contract project *as well as narrative and budget detail and summary pages reflecting the changes* must be provided in written form to OCJP. Only after *written* approval by OCJP and contract amendments signed by the subrecipient and the Commissioner of the Department of Finance and Administration will the term amendment be executed.

D. **Agency Name Change Amendment**

1. A contract amendment is required to change the legal name of a subrecipient agency.
2. An agency name change request must be submitted in writing to OCJP along with copies of the official documentation supporting the legal action. This legal action generally involves non-profit agencies and results in approval of the Amendment to the Charter on file with the Secretary of State. OCJP will in turn review the documentation and amend existing OCJP contracts to reflect the legal change.

3. Revised Substitute W-9 ([OCJP Appendix H](#)) form and ACH (Automated Clearing House) ([OCJP Appendix G](#)) form must also be submitted to OCJP before the amendment can be processed.
4. Only after *written* approval by OCJP and contract amendments signed by the subrecipient and the Commissioner of the Department of Finance and Administration will the name change amendment be executed.]

CHAPTER XIX

SUBRECIPIENT MONITORING

Definition of Monitoring

Monitoring is the review process used to determine a subrecipient's compliance with the requirements of a state and/or federal program, applicable laws and regulations, and stated results and outcomes. Monitoring also includes the review of internal controls to determine if the financial management and the accounting system are adequate to account for program funds in accordance with state and/or federal requirements. Monitoring should result in the identification of areas of non-compliance with the expectation that corrective action will be taken to ensure compliance.

The Federal Office of Management and Budget (OMB) issued a revised publication of Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations June 2003. The revision raised the audit threshold of subrecipients expending Federal funds from \$300,000 to \$500,000 increasing the number of subrecipients exempt from audit when Federal expenditures are less than \$500,000 for fiscal years ending after December 31, 2003. The revision also prohibits charges to federal awards for the costs of a single audit for entities expending less than \$500,000 per year. However, the revision allows charges for subrecipient monitoring costs or the costs of agreed upon audit procedures to federal awards provided that the monitoring procedures and/or audits are of lesser scope than a single audit.

Grant oversight continues to remain a key priority for distribution of federal funds. Simply put, because the threshold for federal auditing requirements has decreased they (OMB) has built in the funds for contractual/agency monitoring including both the programmatic side of the grant as well as the fiscal components of the grant (the scope being less than that of a full audit).

As a result, the State of Tennessee has made appropriate changes in agreements with subrecipients to reflect that single and program specific audits are no longer required for subrecipients expending less than \$500,000 annually, and has reviewed the overall monitoring process, and is requiring uniform statewide monitoring procedures to ensure subrecipient compliance. The Department of Finance and Administration has issued Policy 22 that establishes the requirements for subrecipient contract monitoring for the State of Tennessee.

In an effort to comply, a monitoring unit has been established within OCJP. NOTE: Centralized monitoring provided by the Office of Program Accountability Review (PAR) was discontinued on February 1, 2004. The OCJP monitoring unit is responsible for performing monitoring activities in accordance with Policy 22, to ensure that Federal awards are used for authorized purposes in compliance with laws, regulations, and the provisions of contracts or grant agreements and that performance goals are achieved.

Policy 22:

- A. Identifies a set of core areas common to most state and/or federal awards consistent with [OMB Circular A-110](#), Uniform Administrative Requirements for Grants and Other Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations, [OMB Circular A-87](#), Cost Principles for State, Local, and Indian Tribal Governments, [OMB Circular A-122](#), Cost Principles For Non-Profit Organizations, and [OMB Circular A-133](#), Audits of States, Local Governments, and Non-Profit Organizations.
- B. Places some criteria on the selection of subrecipient contracts to be monitored in any given fiscal year period.
- C. Provides monitoring guidance in the Tennessee Subrecipient Contract Monitoring Manual.

1. **The Office of Criminal Justice Programs provides monitoring services to:**

- a. Determine subrecipient compliance with the requirements of state and/or federal programs, applicable laws and regulations and stated results and outcomes.
- b. Ascertain if internal control over financial management and accounting systems are adequate to account for program funds in accordance with state and federal requirements.

2. **Subrecipient Agency Preparation For a Monitoring Visit:**

- a. OCJP subrecipients can expect at least one monitoring visit during any three-year grant contract period (some subrecipients will be monitored annually).
- b. Subrecipient agencies are selected for monitoring based on their level of risk as determined by OCJP. Examples, number of grants received from OCJP, amount of funding received, and previous areas of concern are risk factors in determining an agency's level of risk. Based on the level of risk a subrecipient may or may not be identified for a monitoring review in any given year of their contract period.
- c. Prior to an on-site monitoring visit, subrecipients will receive notification from OCJP detailing the date and time of the monitoring visit in addition to what information will be requested. It is OCJP's expectation that all agencies scheduled for a monitoring visit will be prepared and have available all the information requested when the visit is arranged. Failure to cooperate fully with the monitoring process will result in written documentation of the agency's lack of compliance.

3. **Disposition:**

At the conclusion of all monitoring review requirements, a monitoring report will be issued within thirty (30) business days. The report will be issued to the subrecipient, **OCJP program and/or fiscal staff** as well as to the Comptroller of the Treasury/Division of Audit if any findings are identified (see below). The

monitoring report must be maintained on-site by the subrecipient as part of the subrecipient file.

Subrecipient Monitoring Reports may include four possible results:

- (a). No findings of Noncompliance,
- (b). Findings of Noncompliance,
- (c). Findings of Noncompliance Resulting in Questioned Costs, and/or
- (d). Observations.

- a. **No findings of Noncompliance** - OCJP does not identify any area(s), either programmatic or fiscal, that do not comply with specific criteria found in state or federal statutes, rules and/or regulations, OCJP subrecipient grant contract(s), state departmental policy for the subrecipient program, or good business practice.
 - 1. If the OCJP monitoring review results in no findings of noncompliance, no further action from the subrecipient is needed.
 - 2. The OCJP will follow-up with a letter to the subrecipient recognizing that the report was indeed completed and no findings were identified.
- b. **Findings of Noncompliance** - OCJP identifies an area(s) that does not comply with specific criteria found in state or federal statutes, rules and/or regulations, OCJP subrecipient grant contract, state departmental policy for subrecipient programs, or good business practice.
 - 1. If the OCJP monitoring review identifies findings of noncompliance, the subrecipient will be allowed thirty (30) total days from the issued date of the report to submit a corrective action plan to the Office of Criminal Justice Programs outlining how the agency plans to correct the findings.
 - 2. **The Corrective Action Plan should include:**
 - (a) A statement of whether the subrecipient agency agrees with the finding or not.
 - (b) A detailed plan of how the agency will correct each individual finding or justification for the subrecipient's disagreement with the finding(s).
 - (c) Attachment of any subrecipient documents, forms, policy changes, reports, accounting tools, time sheets, data collection forms, etc. that ensures the subrecipient has corrected the finding(s).
 - (d) If the subrecipient disagrees with a finding(s) identified by OCJP, detailed documentation must also be submitted to refute the questioned finding(s).

NOTE: If the subrecipient has any questions regarding the report or their required written response to a noncompliant finding or observation report then they should contact their OCJP Program Manager for assistance.

- c. **Findings of Noncompliance Resulting in Questioned Costs** – In addition to all the requirements listed above in 3. (b). (Findings of Noncompliance) the subrecipient will need to repay all Questioned Costs listed in the Monitoring Report. To repay the Questioned Costs, a check (made payable to the **State of Tennessee**) must be submitted for the total of the Questioned Costs with the Corrective Action Plan within the allowed thirty (30) total days from the issuance date of the report to:

The Office of Criminal Justice Programs
312 8th Avenue North, Suite 1200
William R. Snodgrass Tennessee Tower
Nashville, TN 37243-1700.

Please list the contract number on the check or in the correspondence attached to the check in order for the repaid questioned costs to be applied to the proper fiscal year and the proper subrecipient contract number.

Any deviation from this questioned cost repayment policy **MUST** be approved **in writing** by the Director of the Office of Criminal Justice Programs prior to the 30 day deadline.

- d. **Observations** - An observation does not generally result from noncompliance as a finding, but rather is a situation observed by a monitor that is deemed to be a potential problem or of interest to the grantor agency and therefore is reported.
- (1) If a monitoring review identifies an observation, the subrecipient will be allowed thirty (30) total days from the issued date of the report to submit a response explaining the observation and outlining how the agency plans to correct the observation.
- (2) **The Observation Report should include:**
- (a) A statement of whether the subrecipient agency agrees with the observation or not.
- (b) A detailed statement of how the agency will address each individual observation, if needed.
- (c) Attachment of any subrecipient documents, forms, policy changes, reports, accounting tools, time sheets, data collection forms, etc. that ensures the subrecipient has corrected the observation, if needed.

- (d) If the subrecipient disagrees with an observation(s) identified by OCJP, detailed documentation must be submitted to refute the questioned observation(s).

Corrective Action Plans and Observation Reports can be combined and submitted as one document.

Corrective Action Plans, Questioned Costs checks (made payable to the State of Tennessee) and/or Observation Reports should be submitted to:

Office of Criminal Justice Programs
312 8th Avenue North, Suite 1200
William R. Snodgrass Tennessee Tower
Nashville, TN 37243-1700.

The Corrective Action Plans and Observation Reports should be submitted no later than thirty (30) total days after receipt of the OCJP Subrecipient Monitoring Report.

4. OCJP Response:

- a. Upon receipt of a Corrective Action Plan or Observation Report, OCJP will review and determine its adequacy. If found adequate, OCJP will issue a letter of approval. In the event concerns remain, OCJP will determine what additional steps are needed and relate those requirements to the subrecipient in writing with an expected date of response by the subrecipient.
- b. All correspondence from OCJP to the subrecipient regarding the monitoring report and subrecipient responses must be maintained on site by the subrecipient as part of the subrecipient file.

CHAPTER XX

RETENTION AND ACCESS OF RECORDS

A. **Retention of Records**

In accordance with the requirements set forth in 28 CFR Parts 66 and 70, all financial records, supporting documents, statistical records, and all other records pertinent to the award shall be retained by each subrecipient organization for AT LEAST THREE YEARS following the closure of their most recent audit report. Retention is required for purposes of Federal and State examination and audit. Records may be retained in an automated format. State or local governments may impose record retention and maintenance requirements in addition to those prescribed.

1. **Coverage:** The retention requirement extends to books of original entry, source documents supporting accounting transactions, the general ledger, subsidiary ledgers, personnel and payroll records, cancelled checks, and related documents and records. Source documents include copies of all awards, applications, and required subrecipient financial and narrative reports. Personnel and payroll records shall include the time and attendance reports for all individuals reimbursed under the award, whether they are employed full-time or part-time. Time and effort reports are also required for consultants.
2. **Retention Period:** The three-year retention period starts from the date of the submission of the closure of the single audit report which covers the grant period. If any litigation, claim, negotiation, audit, or other action involving the records has been started before the expiration of the three-year period, the records must be retained until completion of the action and resolution of all issues which arise from it or until the end of the regular three-year period, whichever is later.

B. **Maintenance of Records**

Subrecipients of funds are expected to see that records of different fiscal periods are separately identified and maintained so that information desired may be readily located. Subrecipients are also obligated to protect records adequately against fire or other damage. When records are stored away from the subrecipient's principal office, a written index of the location of records stored should be on hand and ready access should be assured.

C. **Access to Records**

The awarding agency includes OCJP, the Federal Agency, the DHHS and the DOJ Office of the Inspector General, the Comptroller General of the United States, or any of their authorized representatives, who shall have the right of access to any pertinent books, documents, papers, or other records of subrecipients which are pertinent to the award, in order to make audits, examinations, excerpts, and transcripts. The right of access must not be limited to the required retention period but shall last as long as the records are retained.

CHAPTER XXI

SANCTIONS AND TERMINATION OF FUNDING

A. Sanctions

If a subrecipient materially fails to comply with the terms and conditions of a contract, including civil rights requirements, whether stated in a Federal statute, regulation, assurance, application, or notice of award, OCJP may take one or more of the following actions, as appropriate in the circumstances.

1. Temporarily withhold cash payments pending correction of the deficiency by the subrecipient.
2. Disallow (that is, deny both use of funds and any applicable matching credit for) all or part of the cost of the activity or action not in compliance.
3. Wholly or partly suspend or terminate the current contract.
4. Withhold further contracts for the project or program.
5. Take other remedies that may be legally available.

Failure by a subrecipient to materially comply with the terms of the contract or of the requirements described in this OCJP Administrative Manual for Subrecipients may be considered grounds for termination of subrecipient funding. Staff of the Department of Finance and Administration, OCJP are committed to assisting subrecipient staff realize contract success and will utilize all reasonable means to resolve problems or address potentially critical issues.

B. Termination for Convenience

The State may terminate the grant by giving the subrecipient at least thirty (30) days written notice before the effective termination date. In that event, the subrecipient shall be entitled to receive equitable compensation for satisfactory, authorized services completed as of the termination date.

C. Termination for Cause

If the subrecipient fails to fulfill its obligation under the Grant in a timely or proper manner, or if the subrecipient violates any terms of the grant, the State shall have the right to immediately terminate the Grant and withhold payments in excess of fair compensation for completed services. Notwithstanding the above, the subrecipient shall not be relieved of liability to the State for damages sustained by virtue of any breach of the grant by the subrecipient.

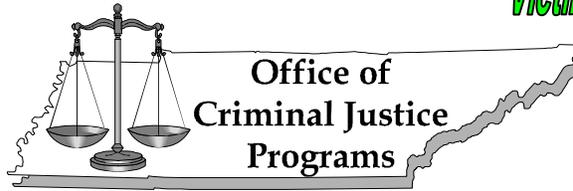
While termination of funding will not be exercised without prior written notice to the subrecipient, any consideration of future grant requests may be influenced by the gravity and extent of the irregularities causing termination as determined by F&A, OCJP.

OCJP ADMINISTRATIVE GRANT MANUAL

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**OFFICE OF CRIMINAL JUSTICE PROGRAMS
WILLIAM R. SNODGRASS TENNESSEE TOWER
SUITE 1200, 312 8th AVENUE NORTH
NASHVILLE, TENNESSEE 37243-1700
FAX (615) 532-2989**

Mission

“The Office of Criminal Justice Programs is committed to a safer Tennessee for all of its citizens. OCJP functions as a strategic planning agency that secures, distributes and manages federal and state grant funds for Tennessee. While collaborating with other public and non-profit agencies, OCJP utilizes these grant monies to support innovative projects statewide in efforts to reduce criminal activity, provide services for victims of crime and promote overall enhancement of the criminal justice system in Tennessee”.

Vision

“Working Together For A Safe Tennessee”

Services

Services supporting state departments, local governments, and private agencies in achieving their program goals include:

- ◆ Technical Assistance
- ◆ Program Monitoring
- ◆ Planning
- ◆ Research
- ◆ Assessment
- ◆ Interagency Coordination
- ◆ Program Facilitation
- ◆ Program Development
- ◆ Program Management

Currently Administered Programs

Byrne Justice Assistance Grant (JAG) Program, (Contact) William Scollon: 615-532-2983

The OCJP administers the Edward Byrne Justice Assistance Grant (JAG) Program. Through the Byrne JAG Grant the OCJP works in partnership with state and local government to make communities safe and to improve the criminal justice system. The Byrne JAG Grant assists state and local criminal justice agencies in reducing crime, violence and drug abuse. Special issues addressed by this program include improvement of criminal justice records in Tennessee, domestic violence prevention and intervention, prevention of school violence, drug offender prosecution and treatment, information system technology, community based program support, court and drug task force support and correctional systems improvement.

Residential Substance Abuse Treatment (RSAT) Program, (Contact) Christy Vernon: 615-532-2988

The Office administers the Residential Substance Abuse Treatment (RSAT) Grant Program. The State uses these funds to support drug treatment programs in state and local correctional institutions. This program funds projects that prepare the offender for reunification into the community by incorporating re-entry planning activities into treatment programs prior to and post-release from the correctional institution.

Safe Neighborhood Act of 1998 (SAFE), (Contact) Tom Scollon: 615-253-1984

The Tennessee Safe Neighborhoods Act makes available through OCJP \$6,000,000 state dollars to assist local law enforcement agencies that are actively participating in or making application for the COPS Universal Hiring Program administered through the U.S. Dept. of Justice. This SAFE funding covers 10% of the total COPS grant reducing the 25% match requirement from the local agency to 15%.

National Criminal History Improvement Program (NCHIP), (Contact) Bruce Langsdon: 615-532-0058 The OCJP convenes the state level interagency taskforce which leads the effort to improve the collection and reporting of criminal histories throughout Tennessee's criminal justice system. The Office administers grant funds and coordinates activities statewide to improve this system.

STOP Violence Against Women Program, (Contact) Terry Hardin: 615-532-3355 or Thom Garrison: 615-741-9954 The purpose of the STOP Violence Against Women Grant is to improve the criminal justice system's response to violence against women, to secure safety for women and to hold offenders accountable for their crime. Funding from this grant is provided to law enforcement, prosecution, courts and victim services programs.

Victims of Crime Act (VOCA), (Contact) Lisa Au: 615-253-1982

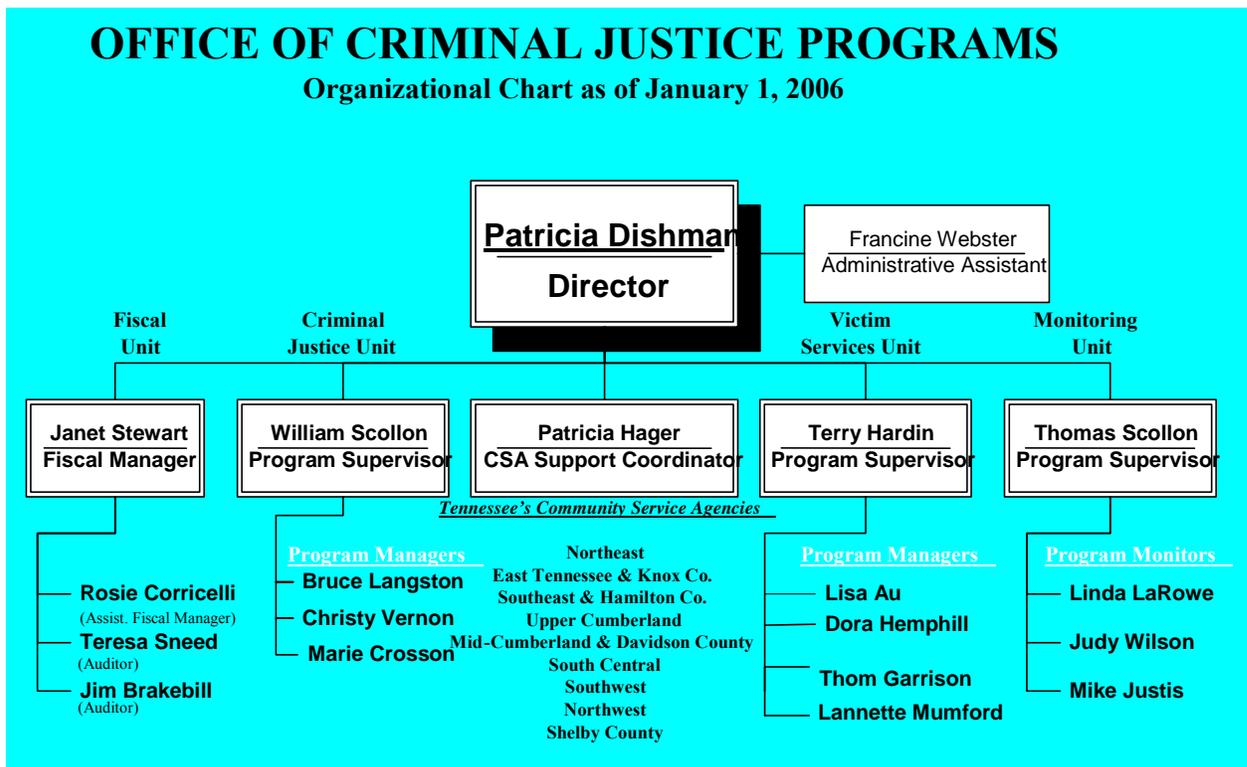
The OCJP administers Tennessee's VOCA program that is designed to provide high quality services that directly improve the health and well being of victims of crime. Priority is given to victims of child abuse, domestic violence, sexual assault and services for previously underserved victims. Currently over 100 grants are funded throughout Tennessee.

Family Violence Shelters, (Contact) Dora Hemphill: 615-253-1983

This OCJP program provides grants for shelter and related services to victims of family violence and their dependents. Grant shelter services are provided 24 hours a day, 7 days a week and include the following components: shelter, crisis hotline, counseling, advocacy, transportation, referral, follow-up and community education. This program currently funds more than 30 shelter grant programs.

State Drug Court Program, (Contact) Marie Crosson: 615-253-2037

The Drug Court Treatment Act is designed to facilitate the implementation and continuation of existing drug court treatment programs in Tennessee. The Act recognizes a need in the criminal justice system to reduce the incidence of drug use/abuse, drug addiction and crimes committed as a result of this use/abuse and addiction. The Office of Criminal Justice Programs administers the drug court treatment program by offering support, training and technical assistance to drug courts as well as awarding, administering and evaluating drug court treatment grants.



ACRONYMS

CFR	Code of Federal Regulations. The Department of Justice publishes its regulations in Title 28 of the CFR.
CONUS	Continental United States
CJRI	Criminal Justice Records Improvement
COPS	Community Oriented Policing Strategy
DHHS	Department of Health and Human Services
FVPSA	Family Violence Prevention and Services Act
F&A	(Department of) Finance and Administration
FBI	Federal Bureau of Identification
GREAT	Gang Resistance Education And Training
M & I	Meals and Incidentals
MVM	Motor Vehicle Management
NIBRS	National Incident Based Reporting System
OCJP	(Tennessee) Office of Criminal Justice Programs
OJP	United States Office of Justice Programs
OMB	United States of Management and Budget
PE	Purchase of Evidence
PI	Purchase of Specific Information
RFP	Request For Proposal
RSAT	Residential Substance Abuse Treatment
SAFE	Safe Neighborhoods Act Grant
SAPR	Subrecipient Award and Performance Report
SAR	Subrecipient Award Report
STOP	STOP Violence Against Women
TBI	Tennessee Bureau of Investigation
TCA	Tennessee Code Annotated
TIBRS	Tennessee Incident Based Reporting System
UCR	Uniform Crime Report
UHP	Universal Hiring Program
VAWA	Violence Against Women Act
VOCA	Victims of Crime Act
YTD	Year To Date

DEFINITIONS

Activities:	What a program does with the inputs to fulfill its mission. Activities include the strategies, techniques, and types of treatment that comprise a program's service and methodology.
Assistance in Filing:	Includes making victims aware of the availability of crime compensation, assisting the victim in completing the required forms, gathering the need documentation, etc. It may also include follow-up contact with the victim compensation agency on behalf of the victim.
Cash Match:	Includes cash spent for project-related costs. Allowable cash match must include those costs that are allowable with Federal funds with the exception of the acquisition of land, when applicable.
Child:	A person who is under eighteen (18) years of age or who is reasonably presumed to be under eighteen (18) years of age.
Child Abuse:	Generally means an activity that endangers the physical or emotional well being of a child. Child abuse encompasses physical abuse, emotional abuse, sexual abuse, neglect of the child's physical or emotional needs, or the threat of these activities.
Child Abuse and Neglect:	The term means any recent act or failure to act on the part of a parent or caregiver with intent to cause death, serious physical or emotional harm, sexual abuse, or exploitation, or an act or failure to act which presents an imminent risk of serious harm. This definition shall not be construed to mean that failure to leave an abusive relationship, in the absence of other action constituting abuse or neglect, is itself abuse or neglect.
Child Abuse Agency:	A public or private non-profit agency, which serves as a "provider" of services to children who are victims of child abuse. The agency uses the victim assistance funds in providing direct services to children who are victims of child abuse.

Child Maltreatment:	The term means the physical or psychological abuse or neglect of a child or youth, including sexual assault and abuse.
Consultant:	Is an individual who provides professional advice or service.
Contracts:	Written agreements entered into by the awarding agency, recipients or subrecipients, and commercial (profit-making) and non-profit organizations. With the exception of a few justified sole source situations, contracts are awarded via competitive processes to procure a good or service.
Core Outcome Measures:	Minimum client benefits expected from program activities.
Court-Related Services:	Those that assist crime victims in participating in criminal justice proceedings including transportation to court, escort service, childcare, filing temporary restraining orders and providing emotional support to crime victims during a trial.
Crime Victim:	A person who has suffered physical, sexual, financial, or emotional harm as a result of commission of a crime.
Criminal Justice Support/Advocacy:	Refers to support, assistance, and advocacy provided to victims at any stage of the criminal justice process, to include post-sentencing services and support.
Crisis Counseling:	Refers to in-person crisis intervention, emotional support, and guidance and counseling provided by advocates, counselors, mental health professionals, or peers. Such counseling may occur at the scene of a crime, immediately after a crime, or be provided on an on going-basis.
Crisis Hotline Counseling:	Typically refers to the operation of a 24-hour telephone service, seven (7) days a week, which provides counseling, guidance, emotional support, information and referral, etc.
Crisis Intervention Services:	Those service that meet urgent short-term emotional and/or physical needs of crime victims; e.g. 24 hour services, including crisis hotline.

Dating Violence:	The term “dating violence” means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim; and where existence of such relationship shall be determined based on a consideration of the following factors: (1) the length of the relationship, (2) the type of relationship, (3) the frequency of the interaction between the persons involved in the relationship.
Dating Partner:	The term refers to a person who is or has been in a social relationship of a romantic or intimate nature with the abuser, and where the existence of such a relationship shall be determined based on a consideration of (a) the length of the relationship; (b) the type of relationship; and (c) the frequency of interaction between the persons involved in the relationship.
Domestic Violence:	The term “domestic violence” includes felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who is cohabiting with or has cohabitated with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction receiving grant monies.
Elder Abuse:	Refers to any action against a person who is 50 years of age or older that constitutes the willful (a) infliction of injury, unreasonable confinement, intimidation, or cruel punishment with resulting physical harm, pain, or mental anguish; or (b) deprivation by a person, including a caregiver, of goods or services with intent to cause physical harm, mental anguish, or mental illness.
Emergency Financial Assistance:	Refers to cash outlays for transportation, food, clothing, emergency housing, etc.
Emergency Legal Advocacy:	Refers to the filing of temporary restraining orders, injunctions, and other protective orders, elder abuse petitions, and child abuse petitions but does not

include criminal prosecution or the employment of attorneys for non-emergency purposes, such as custody disputes, civil suits, etc.

Emergency Services:

Services that provide temporary shelter for crime victims who cannot safely remain in their current lodging, or provide crime victims with petty cash for meeting immediate needs related to transportation, food, shelter and other necessities.

Equipment:

Tangible non-expendable personal property having a useful life of more than one year and an acquisition cost of \$5,000 or more per unit. A subrecipient may use its own definition of equipment provided that such definition would at least include all equipment defined above.

Family Violence:

Any act or threatened act of violence, including any forceful detention of an individual, which (a) results or threatens to result in physical injury and (b) is committed by a person against another individual (including an elderly person) to whom such person is or was related by blood or marriage or otherwise legally related or with whom such person is or was lawfully residing.

Follow-Up Contact:

Refers to in-person contracts, telephone contacts, and written communications with victims to offer emotional support, provide empathetic listening, check on a victim's progress, etc.

Forensic Medical Exam:

An examination provided to a sexual assault victim by medical personnel trained to gather evidence of a sexual assault in a manner suitable for use in a court of law. The examination should include at a minimum the following: (i) examination of physical trauma; (ii) determination of penetration or force; (iii) patient interview; and (iv) collection and evaluation of evidence.

Federal Crime Victim:

A victim of an offense that violates a federal criminal statute or regulation. Federal crimes also include crimes that occur in an area where the federal government has jurisdiction, such as Indian reservations, some national parks, some federal buildings, and military installations.

Group Treatment:	The coordination and provision of supportive group activities and includes self-help, peer, social support, etc.
Information and Referral:	In-person contacts with victims during which time services and available support are identified.
Inputs:	The types and amounts of resources invested in a program in order to deliver the services and produce the outputs and outcomes. Examples are money, staff and staff time, facilities, equipment and supplies.
Law Enforcement:	A public agency charged with policing functions, including any of its component bureaus (such as governmental victim services programs).
Linguistically and Culturally Specific Services:	Refers to community-based services that offer full linguistic access and culturally specific services and resources, including outreach, collaboration, and support mechanisms primarily directed toward underserved communities.
Logic Model:	A logical description of how the project theoretically works to benefit the target group. The narrative description of the applicant's project must tie goals, activities, outputs and outcomes together in a logical fashion.
Match:	The subrecipient share of the project cost. Match may either be "in-kind" or "cash." In-kind match includes the value of donated services. Cash match includes actual cash spent by the subrecipient and must have a cost relationship to the Federal award that is being matched. (Example: Match on administrative costs should be other administrative costs not other matching program costs).
Non-expendable Personal Property:	Tangible personal property having a useful life of more than one year and an acquisition cost of \$5,000 or more per unit.
Non-profit Organization:	Any corporation, trust, association cooperative, or other organization which: <ul style="list-style-type: none"> a: is operated primarily for scientific, educational, service, charitable, or similar purposed in the public interest. b: is not organized primarily for profit.

c: uses its net proceeds to maintain, improve, and/or expand its operations.

Obligation:	Means a legal liability to pay under a grant, subgrant, and/or contract determinable sums for services or goods incurred during the grant term:
Outcomes:	Outcomes are benefits resulting <u>for the participants</u> from the program activities. Outcomes should describe some change in the participant's condition. The key is to show what differences a project is expected to make or what value it is expected to add to the public's well-being. Outcomes establish the benefits of the funding in measurable terms. They describe the results of the services being provided.
Outcome Data Elements:	Lists of the data to gather, with ideas for data gathering techniques (e.g., interviews, surveys, case file reviews).
Outcome Indicators:	Those specific statements that <u>indicate</u> <i>results</i> or achievement of the project's purposes.
Outcome Measures:	Those concrete, measurable data elements that we can <u>count</u> as statements of actual <i>results</i> .
Outcome Reporting:	Focuses on traditional tracking of the agency's activities and efforts, such as "headcounts" (numbers served).
Outputs:	Outputs describe the internal measures of the amount of work done within a project. Outputs are the direct products of program activities and usually are measured in terms of the volume of work accomplished. Outputs refer to the completion of tasks subrecipients required to accomplish over the course of a project. e.g. number of classes taught, number of people trained, number of people served.
Output Reporting:	Focuses on those specific changes in a client's behavior or living conditions that suggests that the services were beneficial, and that the project achieved its purpose.
Personal Advocacy:	Assisting victims in securing rights remedies, and services from other agencies; locating emergency financial assistance, intervening with employers, creditors, and others on behalf of the victim; assisting in filing for losses covered by public and private insurance programs including workman's

compensation, unemployment benefits, Families First, etc; and accompanying the victim to the hospital; etc.

Personal Identifying Information:

The term means individually identifying information for or about an individual including information likely to disclose the location of a victim of domestic violence, dating violence, sexual assault, or stalking, including (a) a first and last name; (b) a home or other physical address; (c) contact information (including a postal, e-mail or Internet protocol address, or telephone or facsimile number); (d) a social security number; and (e) any other information, including date of birth, racial or ethnic background, or religious affiliation, that, in combination with any of subparagraphs (a) through (d), would serve to identify any individual.

Previously Underserved Population:

Victims and survivors of vehicular crime (DUI or DWI), elder abuse victims, adult survivors of incest or child sexual abuse, Native American victims of violent crime, survivors of victims, disabled crime victims, crime victims with a high incidence in urban areas, and crime victims unserved and underserved in rural areas.

Priority Categories of Victim Populations:

Adult sexual assault, child sexual abuse, child abuse, spouse abuse and previously underserved populations.

Program Income:

Gross income earned by the recipient, during the funding period as a direct result of the award. Direct result is defined as a specific act or set of activities that are directly attributable to grant funds and which are directly related to the goals and objectives of the project. Determinations of “direct result” will be made by the awarding agency for discretionary grants and by the State for block/formula subawards. Fines and penalties are not considered program income. Program income may only be used for allowable program expenses.

Prosecution:

Any public office or agency charged with direct responsibility for prosecuting criminal offenders, including such officer’s or agency’s component departments or bureaus (such as governmental victim services programs). Prosecution support services, such as overseeing or participating in

statewide or multi-jurisdictional domestic violence task forces, conducting training for State and local prosecutors; or enforcing victim compensation and domestic violence-related restraining orders shall be considered “direct responsibility” for purposes of this program.

Purpose:

The needs to be met and the goals of the program.

Rape:

Unlawful sexual penetration of a victim by the defendant or of the defendant by a victim accompanied by any of the following circumstances:

1. Force or coercion is used to accomplish the act;
2. The defendant knows or has reason to know that the victim is mentally defective, mentally incapacitate or physically helpless; or
3. The sexual penetration is accomplished by fraud.

Related Assistance:

The provision of direct assistance to victims of family violence and their dependents for the purpose of preventing further violence, helping such victims to gain access to civil and criminal courts and other community services, facilitating the efforts of such victims to make decisions concerning their lives in the interest of safety, and assisting such victims in healing from the effects of the violence.

Services:

Those efforts that respond to the emotional and physical needs of crimes victim, assist primary and secondary victims of crime to stabilize their lives after a victimization, assist victims to understand and in the criminal justice system, and provide victims of crime with a measure of safety and security such as boarding up windows and replacing or repairing locks.

Sexual Assault:

Any non-consensual sexual act that is forced upon an intimate partner, other family member, friend, acquaintance, or stranger. Sexual assault includes rape or attempted rape (vaginal, anal or oral penetration), fondling, exposure, voyeurism, and sexual harassment. Sexual assault can occur as a single incident or in multiple episodes and is often accompanied by physical and emotional abuse.

Shelter:	The provision of temporary refuge and related assistance in compliance with applicable State law and regulation governing the provision, on a regular basis, which includes shelter, safe homes, meals, and related assistance to victims of family violence and their dependents.
Shelter/Safe House:	Refers to offering short-and long-term housing and related support services to victims and families following victimization.
Stalking:	A pattern of harassing or threatening behavior use to cause an individual to fear for his/her safety, or the safety of his/her family, friends, or other associates (e.g. co-workers). Victims may be former intimate partners, family members, friends, acquaintance, or strangers. Stalking may be accompanied by physical, sexual, and emotional abuse.
Subrecipient:	An individual and/or organization that receives Federal financial assistance from the direct recipient of Federal funds. This may include entities receiving funds as a result of block or formula awards.
Supplanting:	To deliberately reduce State of local funds because of the existence of Federal funds. An example would be: When State funds are appropriated for a stated purpose and Federal funds are awarded for that same purpose, the State replaces its State funds with Federal funds; thereby reducing the total amount available for the stated purpose.
Support Services:	Services that include follow-up counseling after the initial traumatic event; reassurance, empathetic listening and guidance; acting on the victims behalf with other social services and criminal justice agencies; and referral to other sources of assistance may be provided.
Survivors of Homicide:	A phrase use to describe those Victims kinship with the person murdered, and who were therefore victimized not only by loss of someone close but by horrific circumstances of that untimely death. Survivors are usually thought of as family members or close friends, but at times, the term may include people with seemingly more distant relationships

such as neighbors, schoolmates, and members of the community at large.

Telephone Contacts:

Contacts with victims during which time services and available support is identified.

Therapy:

Intensive professional psychological and psychiatric treatment for individuals, couples, and family members related to counseling to provide emotional support in crisis arising from the occurrence of crime. This includes the evaluation of mental health needs, as well as the actual delivery of psychotherapy.

Underserved Populations:

Populations that are underserved because of geographic location, underserved racial and ethnic populations, populations underserved because of special needs (such as language barriers, disabilities, alienage status, or age), and any other population determined to be underserved by the Attorney General or by the Secretary of Health and Human services, as appropriate.

Underserved Victims:

These victims may be defined by demographic characteristics such as their status as senior citizens, non-English speaking residents, and disabled persons, members of racial or ethnic minorities, or by virtue of the fact that they are residents of rural or remote areas of inner cities as well as the types of crimes committed.

Victim:

Refers to an innocent person who has had certain categories of crimes perpetrated against her/him such as domestic violence, sexual assault and survivors of homicide victims. Also a victim is the person who, because of their reaction or needs, resulting from the crime against a primary victim, also receives services.

Victim Compensation:

Benefits that may be available to crime victims by the State Treasury Department, Division of Claims administration. Any person, including a child, who is an innocent victim of violent crime, is entitled to compensation in Tennessee. Such assistance may be achieved by identifying and notifying potential recipients of the available of compensation and assisting them with application forms and procedures.

Computer Guidelines for OCJP Grant Agencies

The following are minimum guidelines for the computer needs of local governmental as well as non-profit agencies funded through the Office of Criminal Justice Programs. The purpose of these guidelines is to ensure computer compatibility among local agencies, the state, and the federal government. In addition, it is important to obtain equipment, which will allow the user to obtain the best capability possible. Technology becomes obsolete quickly and it is important that the most current equipment is purchased.

Contact your OCJP Program Manager prior to the purchase of any computer equipment in order to obtain any revisions, updates, and/or restrictions.

Servers

1. Intel Pentium III 2.4 GHz processor with Dual Processor Capability
2. Minimum 512 Megabytes of SDRAM (expandable to 1 GB)
3. 40 Gigabyte Hard drive or larger (mirrored drives preferred)
4. 48X CD ROM Drive
5. 56k v.90 baud rate fax/modem
6. 3.5 inch floppy disk drive
7. 17 inch SVGA monitor
8. 8 megabytes of video RAM
9. 512 KB cache or larger
10. Ethernet Network
11. Suitable tape backup device and unattended backup software.
12. Adequately sized battery backup to prevent power problems.
13. Internal or External 56K modem to allow remote administration.

Workstations

1. Intel Pentium IV 2.4 GHz processor with an upgradeable socket (Minimum)
2. Minimum 512 MB of DDR RAM (expandable to 4GB)
3. 40 Gigabyte Hard drive
4. 48x CD ROM drive
5. 56k v.90 baud rate fax/modem
6. 3.5 inch floppy disk drive
7. 17 inch SVGA monitor
8. 8 megabyte of video RAM
9. 512 KB cache or larger
10. Ethernet Network Card

Laptops

1. Pentium IV 1.4 GHz processor or higher with an upgradeable socket
2. 256 MB of SD RAM (random access memory)
3. 40 Gigabyte Fixed drive
4. 24x CD ROM drive Internal or External
5. 56k v.90 baud rate fax/modem
6. 3.5 inch floppy disk drive
7. 256 KB cache
8. Ethernet Network Compatible

Printers

LASER OR INK JET WITH A MINIMUM OF 600 X 600 DPI (DOTS PER INCH) RESOLUTION

Scanner

OPTICAL RESOLUTION 600 X 1200 (48 BIT)

Software

<i>Operating System</i>	Microsoft Windows 2000, XP or NT
<i>Network</i>	Windows 2000 Server
<i>Support Software</i>	Microsoft Office 2000 or XP Standard or Professional Word, Excel, Power Point and Access
<i>Communication</i>	ProCom+ for Windows (communication software to dial in with modem). PCAnywhere for Windows 2000,XP, NT (remote PC software) Netscape 6.2 or higher or Microsoft Internet Explorer 6

STATE OF TENNESSEE TRAVEL REGULATIONS

Click this link to review the Tennessee Travel Regulations.

<http://www.state.tn.us/finance/act/policy8.pdf>

Click this link to review the Continental United States ([CONUS](#)) Travel Regulations for out of state travel and pick the appropriate state from the map.

PRINTED VERSIONS will need to type the web site address referenced below in their internet explorer address box. Click "Go". You will be directed to a "Per Diem Overview" web page. Look to the left and locate the links beneath the word "Overview". Click on *Per Diem Rates. You will then be directed to a USA map. Click on the state you are traveling to. You will then see the list of cities. Locate the city you are traveling to and the per-diem rates will be to the right.

Print versions will need to type the link below into the web browser on an Internet capable computer.

<http://www.gsa.gov/Portal/gsa/ep/channelView.do?pageTypeId=8203&channelId=-15943>

Then select Per Diem Rates from the left side menu.

OCJP Sub-Contract Agreement Model

Subrecipient agencies may not enter into a subcontract for any of the services performed under the grant contract without obtaining **prior written approval** from OCJP. Notwithstanding the use of any approved subcontractors, the subrecipient agency is considered the prime contractor and is responsible for all work performed.

A. Contract Model to be used by Local Government and Non-Profit Agencies

The attached model is for use by Local Government Agencies and Non-profit Agencies. The OCJP Subrecipient Contractual Agreement Format must be used for all subrecipient contracts with other entities

B. Contract Model for State Agencies

State Agencies should follow the approved Office of Contracts Review models as found at:

www.state.tn.us/finance/rds/ocr/model.html

Listed below are links for the available contract shells that can be used for this purpose. Click on the link below for the appropriate contract shell.

Cost Reimbursement Grant

(for use in subcontracting with Non-Profit Agencies)

Another State Agency

(for use in interdepartmental grant contracts between state agencies in which payments are to be made by means of the “journal voucher” process)

Federal / Tennessee Government

(for use in subcontracting with Federal or Tennessee Government entities that are not state agencies or higher education institutions)

Tennessee College/University

(for use in subcontracting with higher education institutions of Tennessee)

**CONTRACT BETWEEN
[AGENCY NAME]
AND
[CONTRACTOR NAME]**

This Contract, by and between [AGENCY NAME], hereinafter referred to as the "Agency" and [CONTRACTOR LEGAL ENTITY NAME], hereinafter referred to as the "Contractor," is for the provision of [SHORT DESCRIPTION OF THE SERVICE], as further defined in the "SCOPE OF SERVICES."

The Contractor is [AN INDIVIDUAL / A FOR-PROFIT CORPORATION / A NONPROFIT CORPORATION / A SPECIAL PURPOSE CORPORATION OR ASSOCIATION / A FRATERNAL OR PATRIOTIC ORGANIZATION / A PARTNERSHIP / A JOINT VENTURE / A LIMITED LIABILITY COMPANY]. The Contractor's address is:

[ADDRESS]

The Contractor's place of incorporation or organization is [STATE OF ORGANIZATION].

A. SCOPE OF SERVICES:

A.1. [DESCRIBE IN DETAIL THE SERVICES THE CONTRACTOR IS TO PROVIDE TO THE AGENCY AND THE SERVICES THAT THE AGENCY IS TO PROVIDE TO THE CONTRACTOR]

B. CONTRACT TERM:

B.1. Contract Term. This Contract shall be effective for the period commencing on [START DATE] and ending on [END DATE]. The Agency shall have no obligation for services rendered by the Contractor which are not performed within the specified period.

B.2. Term Extension. The Agency reserves the right to extend this Contract for an additional period or periods of time representing increments of no more than one year and a total contract term of no more than [[WRITTEN NUMBER] ([NUMBER]) NO GREATER THAN FIVE] years, provided that the Agency notifies the Contractor in writing of its intention to do so at least [WRITTEN NUMBER] ([NUMBER]) days prior to the contract expiration date. An extension of the term of this Contract will be effected through an amendment to the Contract. If the extension of the Contract necessitates additional funding beyond that which was included in the original Contract, the increase in the Agency's maximum liability will also be effected through an amendment to the Contract and shall be based upon rates provided for in the original contract.

C. PAYMENT TERMS AND CONDITIONS:

C.1. Maximum Liability. In no event shall the maximum liability of the Agency under this Contract exceed [WRITTEN DOLLAR AMOUNT] (\$[NUMBER AMOUNT]). The Service Rates in Section C.3 shall constitute the entire compensation due the Contractor for the Service and all of the Contractor's obligations hereunder regardless of the difficulty, materials or equipment required. The Service Rates include, but are not limited to, all applicable taxes, fees, overheads, and all other direct and indirect costs incurred or to be incurred by the Contractor.

The Contractor is not entitled to be paid the maximum liability for any period under the Contract or any extensions of the Contract for work not requested by the Agency. The maximum liability represents available funds for payment to the Contractor and does not guarantee payment of any such funds to the Contractor under this Contract unless the Agency requests work and the Contractor performs said work. In which case, the Contractor shall be paid in accordance with the Service Rates detailed in Section C.3. The Agency is under no obligation to request work from the Contractor in any specific dollar amounts or to request any work at all from the Contractor during any period of this Contract.

- C.2. Compensation Firm. The Service Rates and the Maximum Liability of the Agency under this Contract are firm for the duration of the Contract and are not subject to escalation for any reason unless amended.
- C.3. Payment Methodology. The Contractor shall be compensated based on the Service Rates herein for units of service authorized by the Agency in a total amount not to exceed the Contract Maximum Liability established in Section C.1. The Contractor's compensation shall be contingent upon the satisfactory completion of units of service or project milestones defined in Section A. The Contractor shall be compensated based upon the following Service Rates:

<u>SERVICE UNIT/MILESTONE</u>	<u>AMOUNT</u>
[UNIT/MILESTONE EVENT]	#[NUMBER AMOUNT]
[UNIT/MILESTONE EVENT]	#[NUMBER AMOUNT]

The Contractor shall submit monthly invoices, in form and substance acceptable to the Agency with all of the necessary supporting documentation, prior to any payment. Such invoices shall be submitted for completed units of service or project milestones for the amount stipulated.

- C.4. Travel Compensation. Reimbursement to the Grantee for travel, meals, or lodging shall be subject to amounts and limitations specified in the "State Comprehensive Travel Regulations," as they are amended from time to time and subject to the Grant Budget.
- C.5. Payment of Invoice. The payment of the invoice by the Agency shall not prejudice the Agency's right to object to or question any invoice or matter in relation thereto. Such payment by the Agency shall neither be construed as acceptance of any part of the work or service provided nor as an approval of any of the amounts invoiced therein.
- C.6. Invoice Reductions. The Contractor's invoice shall be subject to reduction for amounts included in any invoice or payment theretofore made which are determined by the Agency, on the basis of audits conducted in accordance with the terms of this contract, not to constitute proper remuneration for compensable services.

D. STANDARD TERMS AND CONDITIONS:

- D.1. Required Approvals. The Agency is not bound by this Contract until it is approved by the appropriate Agency officials in accordance with applicable Tennessee State laws and regulations.
- D.2. Modification and Amendment. This Contract may be modified only by a written amendment

executed by all parties hereto and approved by the appropriate Tennessee State officials in accordance with applicable Tennessee State laws and regulations.

- D.3. Termination for Convenience. The Agency may terminate this Contract without cause for any reason. Said termination shall not be deemed a Breach of Contract by the Agency. The Agency shall give the Contractor at least [WRITTEN NUMBER] ([NUMBER]) days written notice before the effective termination date. The Contractor shall be entitled to receive compensation for satisfactory, authorized service completed as of the termination date, but in no event shall the Agency be liable to the Contractor for compensation for any service which has not been rendered. Upon such termination, the Contractor shall have no right to any actual general, special, incidental, consequential, or any other damages whatsoever of any description or amount.
- D.4. Termination for Cause. If the Contractor fails to properly perform its obligations under this Contract in a timely or proper manner, or if the Contractor violates any terms of this Contract, the Agency shall have the right to immediately terminate the Contract and withhold payments in excess of fair compensation for completed services. Notwithstanding the above, the Contractor shall not be relieved of liability to the Agency for damages sustained by virtue of any breach of this Contract by the Contractor.
- D.5. Subcontracting. The Contractor shall not assign this Contract or enter into a subcontract for any of the services performed under this Contract without obtaining the prior written approval of the Agency. If such subcontracts are approved by the Agency, they shall contain, at a minimum, sections of this Contract pertaining to "Conflicts of Interest" and "Nondiscrimination" (sections D.6. and D.7.). Notwithstanding any use of approved subcontractors, the Contractor shall be the prime contractor and shall be responsible for all work performed.
- D.6. Conflicts of Interest. The Contractor warrants that no part of the total Contract Amount shall be paid directly or indirectly to an employee or official of the Agency as wages, compensation, or gifts in exchange for acting as an officer, agent, employee, subcontractor, or consultant to the Contractor in connection with any work contemplated or performed relative to this Contract.
- D.7. Nondiscrimination. The Contractor hereby agrees, warrants, and assures that no person shall be excluded from participation in, be denied benefits of, or be otherwise subjected to discrimination in the performance of this Contract or in the employment practices of the Contractor on the grounds of disability, age, race, color, religion, sex, national origin, or any other classification protected by Federal, Tennessee State constitutional, or statutory law. The Contractor shall, upon request, show proof of such nondiscrimination and shall post in conspicuous places, available to all employees and applicants, notices of nondiscrimination.
- D.8. Public Notice. All notices, informational pamphlets, press releases, research reports, signs, and similar notices prepared and released by the Contractor shall include the statement, "This project is funded under an agreement with the State of Tennessee, Department of Finance and Administration, Office of Criminal Justice Programs." Any such notices by the Contractor shall be approved by the State
- D.9. Records. The Contractor shall maintain documentation for all charges against the Agency under this Contract. The books, records, and documents of the Contractor, insofar as they relate to work performed or money received under this contract, shall be maintained for a period of three (3) full years from the date of the final payment and shall be subject to audit at any reasonable time and upon reasonable notice by the Agency, the Comptroller of the Treasury, or their duly appointed

representatives. The financial statements shall be prepared in accordance with generally accepted accounting principles.

- D.10. Monitoring. The Contractor's activities conducted and records maintained pursuant to this Contract shall be subject to monitoring and evaluation by the Agency, the Comptroller of the Treasury, or their duly appointed representatives.
- D.11. Progress Reports. The Contractor shall submit brief, periodic, progress reports to the Agency as requested.
- D.12. Strict Performance. Failure by any party to this Contract to insist in any one or more cases upon the strict performance of any of the terms, covenants, conditions, or provisions of this Contract shall not be construed as a waiver or relinquishment of any such term, covenant, condition, or provision. No term or condition of this Contract shall be held to be waived, modified, or deleted except by a written amendment signed by the parties hereto.
- D.13. Independent Contractor. The parties hereto, in the performance of this Contract, shall not act as employees, partners, joint venturers, or associates of one another. It is expressly acknowledged by the parties hereto that such parties are independent contracting entities and that nothing in this Contract shall be construed to create an employer/employee relationship or to allow either to exercise control or direction over the manner or method by which the other transacts its business affairs or provides its usual services. The employees or agents of one party shall not be deemed or construed to be the employees or agents of the other party for any purpose whatsoever.

The Contractor, being an independent contractor and not an employee of the Agency, agrees to carry adequate public liability and other appropriate forms of insurance, including adequate public liability and other appropriate forms of insurance on the Contractor's employees, and to pay all applicable taxes incident to this Contract.

- D.14. Agency Liability. The Agency shall have no liability except as specifically provided in this Contract.
- D.15. Force Majeure. The obligations of the parties to this contract are subject to prevention by causes beyond the parties' control that could not be avoided by the exercise of due care including, but not limited to, acts of God, riots, wars, strikes, epidemics or any other similar cause.
- D.16. State and Federal Compliance. The Contractor shall comply with all applicable State and Federal laws and regulations in the performance of this Contract.
- D.17. Governing Law. This Contract shall be governed by and construed in accordance with the laws of the State of Tennessee. The Contractor agrees that it will be subject to the exclusive jurisdiction of the courts of the State of Tennessee in actions that may arise under this Contract. The Contractor acknowledges and agrees that any rights or claims against the Agency or its employees hereunder, and any remedies arising therefrom, shall be subject to and limited to those rights and remedies, if any, available under *Tennessee Code Annotated*, Sections 9-8-101 through 9-8-407.
- D.18. Completeness. This Contract is complete and contains the entire understanding between the parties relating to the subject matter contained herein, including all the terms and conditions of the parties' agreement. This Contract supersedes any and all prior understandings, representations, negotiations, and agreements between the parties relating hereto, whether written or oral.
- D.19. Severability. If any terms and conditions of this Contract are held to be invalid or unenforceable as a

matter of law, the other terms and conditions hereof shall not be affected thereby and shall remain in full force and effect. To this end, the terms and conditions of this Contract are declared severable.

D.20. Headings. Section headings of this Contract are for reference purposes only and shall not be construed as part of this Contract.

E. SPECIAL TERMS AND CONDITIONS:

E.1. Conflicting Terms and Conditions. Should any of these special terms and conditions conflict with any other terms and conditions of this Contract, these special terms and conditions shall control.

E.2. Communications and Contacts. All instructions, notices, consents, demands, or other communications required or contemplated by this Contract shall be in writing and shall be made by facsimile transmission, by overnight courier service, or by first class mail, postage prepaid, addressed to the respective party at the appropriate facsimile number or address as set forth below or to such other party, facsimile number, or address as may be hereafter specified by written notice.

The Agency:

[NAME AND TITLE OF AGENCY CONTACT PERSON]

[AGENCY NAME]

[ADDRESS]

[TELEPHONE NUMBER]

[FACSIMILE NUMBER]

The Contractor:

[NAME AND TITLE OF CONTRACTOR CONTACT PERSON]

[CONTRACTOR NAME]

[ADDRESS]

[TELEPHONE NUMBER]

[FACSIMILE NUMBER]

All instructions, notices, consents, demands, or other communications shall be considered effectively given as of the day of delivery; as of the date specified for overnight courier service delivery; as of three (3) business days after the date of mailing; or on the day the facsimile transmission is received mechanically by the telefax machine at the receiving location and receipt is verbally confirmed by the sender if prior to 4:30 p.m. CST. Any communication by facsimile transmission shall also be sent by United States mail on the same date of the facsimile transmission.

E.3. Subject to Funds Availability. The Contract is subject to the appropriation and availability of Agency and/or Federal funds. In the event that the funds are not appropriated or are otherwise unavailable, the Agency reserves the right to terminate the Contract upon written notice to the Contractor. Said termination shall not be deemed a breach of Contract by the Agency. Upon receipt of the written notice, the Contractor shall cease all work associated with the Contract. Should such an event occur, the Contractor shall be entitled to compensation for all satisfactory and authorized services completed as of the termination date. Upon such termination, the Contractor shall have no right to recover from the Agency any actual, general, special, incidental, consequential, or any other damages whatsoever of any description or amount.

E.4. Breach. A party shall be deemed to have breached the Contract if any of the following occurs:

— failure to perform in accordance with any term or provision of the Contract;

- partial performance of any term or provision of the Contract;
- any act prohibited or restricted by the Contract, or
- violation of any warranty.

For purposes of this contract, these items shall hereinafter be referred to as a “Breach.”

- a. Contractor Breach— The Agency shall notify Contractor in writing of a Breach.
- (1) In event of a Breach by Contractor, the Agency shall have available the remedy of Actual Damages and any other remedy available at law or equity.
 - (2) Liquidated Damages— In the event of a Breach, the Agency may assess Liquidated Damages. The Agency shall notify the Contractor of amounts to be assessed as Liquidated Damages. The parties agree that due to the complicated nature of the Contractor’s obligations under this Contract it would be difficult to specifically designate a monetary amount for a Breach by Contractor as said amounts are likely to be uncertain and not easily proven. Contractor hereby represents and covenants it has carefully reviewed the Liquidated Damages contained in above referenced, Attachment [NUMBER] and agree that said amounts represent a reasonable relationship between the amount and what might reasonably be expected in the event of Breach, and are a reasonable estimate of the damages that would occur from a Breach. It is hereby agreed between the parties that the Liquidated Damages represent solely the damages and injuries sustained by the Agency in losing the benefit of the bargain with Contractor and do not include any injury or damage sustained by a third party. The Contractor agrees that the liquidated damage amount is in addition to any amounts Contractor may owe the Agency pursuant to the indemnity provision or other section of this Contract.

The Agency may continue to withhold the Liquidated Damages or a portion thereof until the Contractor cures the Breach, the Agency exercises its option to declare a Partial Default, or the Agency terminates the Contract. The Agency is not obligated to assess Liquidated Damages before availing itself of any other remedy. The Agency may choose to discontinue Liquidated Damages and avail itself of any other remedy available under this Contract or at law or equity; provided, however, Contractor shall receive a credit for said Liquidated Damages previously withheld except in the event of a Partial Default.

- (3) Partial Default— In the event of a Breach, the Agency may declare a Partial Default. In which case, the Agency shall provide the Contractor written notice of: (1) the date which Contractor shall terminate providing the service associated with the Breach; and (2) the date the Agency will begin to provide the service associated with the Breach. Notwithstanding the foregoing, the Agency may revise the time periods contained in the notice written to the Contractor.

In the event the Agency declares a Partial Default, the Agency may withhold, together with any other damages associated with the Breach, from the amounts due the Contractor the greater of: (1) amounts which would be paid the Contractor to provide the defaulted service; or (2) the cost to the Agency of providing the defaulted service, whether said service is provided by the Agency or a third party. To determine the amount the Contractor is being paid for any particular service, the Department shall be

entitled to receive within five (5) days any requested material from Contractor. The Agency shall make the final and binding determination of said amount.

The Agency may assess Liquidated Damages against the Contractor for any failure to perform which ultimately results in a Partial Default with said Liquidated Damages to cease when said Partial Default is effective. Upon Partial Default, the Contractor shall have no right to recover from the Agency any actual, general, special, incidental, consequential, or any other damages whatsoever of any description or amount. Contractor agrees to cooperate fully with the Agency in the event a Partial Default is taken

(4) **Contract Termination**— In the event of a Breach, the Agency may terminate the Contract immediately or in stages. The Contractor shall be notified of the termination in writing by the Agency. Said notice shall hereinafter be referred to as Termination Notice. The Termination Notice may specify either that the termination is to be effective immediately, on a date certain in the future, or that the Contractor shall cease operations under this Contract in stages. In the event of a termination, the Agency may withhold any amounts which may be due Contractor without waiver of any other remedy or damages available to the Agency at law or at equity. The Contractor shall be liable to the Agency for any and all damages incurred by the Agency and any and all expenses incurred by the Agency which exceed the amount the Agency would have paid Contractor under this Contract. Contractor agrees to cooperate with the Agency in the event of a Contract Termination or Partial Takeover.

b. **Agency Breach**— In the event of a Breach of contract by the Agency, the Contractor shall notify the Agency in writing within 30 days of any Breach of contract by the Agency. Said notice shall contain a description of the Breach. Failure by the Contractor to provide said written notice shall operate as an absolute waiver by the Contractor of the Agency's Breach. In no event shall any Breach on the part of the Agency excuse the Contractor from full performance under this Contract. In the event of Breach by the Agency, the Contractor may avail itself of any remedy at law in the forum with appropriate jurisdiction; provided, however, failure by the Contractor to give the Agency written notice and opportunity to cure as described herein operates as a waiver of the Agency's Breach. Failure by the Contractor to file a claim before the appropriate forum in Tennessee with jurisdiction to hear such claim within one (1) year of the written notice of Breach shall operate as a waiver of said claim in its entirety. It is agreed by the parties this provision establishes a contractual period of limitations for any claim brought by the Contractor.

E.5. **Partial Takeover**. The Agency may, at its convenience and without cause, exercise a partial takeover of any service which the Contractor is obligated to perform under this Contract, including but not limited to any service which is the subject of a subcontract between Contractor and a third party, although the Contractor is not in Breach (hereinafter referred to as "Partial Takeover"). Said Partial Takeover shall not be deemed a Breach of Contract by the Agency. Contractor shall be given at least 30 days prior written notice of said Partial Takeover with said notice to specify the area(s) of service the Agency will assume and the date of said assumption. Any Partial Takeover by the Agency shall not alter in any way Contractor's other obligations under this Contract. The Agency may withhold from amounts due the Contractor the amount the Contractor would have been paid to deliver the service as determined by the Agency. The amounts shall be withheld effective as of the date the Agency assumes the service. Upon Partial Takeover, the Contractor shall have no right to recover from the Agency any actual, general, special, incidental, consequential, or any other damages

whatsoever of any description or amount.

- E.6. Agency Ownership of Work Products. The Agency shall have all ownership right, title, and interest, including ownership of copyright, in all work products created, designed, developed, derived, documented, installed, or delivered to the Agency under this Contract. The Agency shall have royalty-free and unlimited rights to use, disclose, reproduce, or publish, for any purpose whatsoever, all said work products. The Contractor shall furnish such information and data upon request of the Agency, in accordance with the Contract and applicable Agency law.
- E.7. Competitive Procurements. This Contract provides for reimbursement of the cost of goods, materials, supplies, equipment, or services. Such procurements shall be made on a competitive basis, where practical.
- E.8. Agency Furnished Property. The Contractor shall be responsible for the correct use, maintenance, and protection of all articles of nonexpendable, tangible, personal property furnished by the Agency for the Contractor's temporary use under this Contract. Upon termination of this Contract, all property furnished shall be returned to the Agency in good order and condition as when received, reasonable use and wear thereof excepted. Should the property be destroyed, lost, or stolen, the Contractor shall be responsible to the Agency for the residual value of the property at the time of loss.
- E.9. Incorporation of Additional Documents. Included in this Contract by reference are the following documents:
- a. The Contract document and its attachments
 - b. All Clarifications and addenda made to the Contractor's Proposal
 - c. The Request for Proposal and its associated amendments
 - d. Technical Specifications provided to the Contractor
 - e. The Contractor's Proposal

In the event of a discrepancy or ambiguity regarding the Contractor's duties, responsibilities, and performance under this Contract, these documents shall govern in order of precedence detailed above.

- E.10. Workpapers Subject to Review. The Contractor shall make all audit, accounting, or financial analysis workpapers, notes, and other documentation available for review by the Comptroller of the Treasury or his representatives, upon request, during normal working hours either while the analysis is in progress or subsequent to the completion of this Contract.
- E.11. Lobbying. The Contractor certifies, to the best of its knowledge and belief, that:

No federally appropriated funds have been paid or will be paid, by or on behalf of the Contractor, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, and entering into any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement.

If any funds other than federally appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this contract, grant, loan, or cooperative agreement, the Contractor shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

The Contractor shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including sub-grants, subcontracts, and contracts under grants, loans, and cooperative agreements) and that all sub-recipients of federally appropriated funds shall certify and disclose accordingly.

- E.12. Public Funding Notice. All notices, informational pamphlets, press releases, research reports, signs, and similar public notices prepared and released by the Contractor relative to this Contract shall include the statement, "This project is funded under an agreement with the State of Tennessee." Any such notices by the Contractor shall be approved by the Agency.
- E.13. Prohibited Advertising. The Contractor shall not refer to this Contract or the Contractor's relationship with the Agency hereunder in commercial advertising in such a manner as to Agency or imply that the Contractor or the Contractor's services are endorsed.
- E.14. Confidentiality of Records. Strict standards of confidentiality of records shall be maintained in accordance with the law. All material and information, regardless of form, medium or method of communication, provided to the Contractor by the Agency or acquired by the Contractor on behalf of the Agency shall be regarded as confidential information in accordance with the provisions of State law and ethical standards and shall not be disclosed, and all necessary steps shall be taken by the Contractor to safeguard the confidentiality of such material or information in conformance with State law and ethical standards.

The Contractor will be deemed to have satisfied its obligations under this section by exercising the same level of care to preserve the confidentiality of the Agency's information as the Contractor exercises to protect its own confidential information so long as such standard of care does not violate the applicable provisions of the first paragraph of this section.

The Contractor's obligations under this section do not apply to information in the public domain; entering the public domain but not from a breach by the Contractor of this Contract; previously possessed by the Contractor without written obligations to the Agency to protect it; acquired by the Contractor without written restrictions against disclosure from a third party which, to the Contractor's knowledge, is free to disclose the information; independently developed by the Contractor without the use of the Agency's information; or, disclosed by the Agency to others without restrictions against disclosure.

It is expressly understood and agreed the obligations set forth in this section shall survive the termination of this Contract.

- E.15. Copyrights and Patents. The Contractor agrees to indemnify and hold harmless the State of Tennessee as well as its officers, agents, and employees from and against any and all claims or suits which may be brought against the Agency for infringement of any laws regarding patents or copyrights which may arise from the Contractor's performance of this Contract. In any such action brought against the Agency, the Contractor shall satisfy and indemnify the Agency for the amount of any final judgment for infringement. The Contractor further agrees it shall be liable for the reasonable fees of attorneys for the Agency in the event such service is necessitated to enforce the terms of this Contract or otherwise enforce the obligations of the Contractor to the Agency. The Agency shall give the Contractor written notice of any such claim or suit and full right and opportunity to conduct the Contractor's own defense thereof.

- E.16. Public Accountability. If this Contract involves the provision of services to citizens by the Contractor on behalf of the Agency, the Contractor agrees to establish a system through which recipients of services may present grievances about the operation of the service program, and the Contractor agrees to display a sign stating:

"NOTICE: This Contractor is a recipient of taxpayer funding. If you observe an employee engaging in any activity which you consider to be illegal or improper, please call the State Comptroller's toll free hotline: 1-800-232-5454"

Said sign shall be displayed in a prominent place, located near the passageway(s) through which the public passes to receive Agency funded services.

- E.17. Environmental Tobacco Smoke. Pursuant to the provisions of the federal "Pro-Children Act of 1994" and the Tennessee "Children's Act for Clean Indoor Air of 1995," the Contractor shall prohibit smoking of tobacco products within any indoor premises in which services are provided pursuant to this Contract to individuals under the age of eighteen (18) years. The Contractor shall post "no smoking" signs in appropriate, permanent sites within such premises. This prohibition shall be applicable during all hours, not just the hours in which children are present. Violators of the prohibition may be subject to civil penalties and fines. This prohibition shall apply to and be made part of any subcontract related to this Contract.
- E.18. Authorized Individuals. Each party hereto has provided the other party hereto with a list identifying the individuals from whom the other party is authorized to accept any notices, requests, demands, or other advice which may be given hereunder by the party providing such list. Said lists, which are attached hereto as Attachment [NUMBER], shall be valid until revoked or amended by further written notice. The parties hereto shall only be entitled to rely on notices, requests, demands, or other advice given by such individuals.
- E.19. Date/Time Hold Harmless. As required by *Tennessee Code Annotated*, Section 12-4-118, the contractor shall hold harmless and indemnify the State of Tennessee; its officers and employees; and any agency or political subdivision of the Agency for any breach of contract caused directly or indirectly by the failure of computer software or any device containing a computer processor to accurately or properly recognize, calculate, display, sort or otherwise process dates or times.
- E.20. Hold Harmless. The Contractor agrees to indemnify and hold harmless the State of Tennessee as well as its officers, agents, and employees from and against any and all claims, liabilities, losses, and causes of action which may arise, accrue, or result to any person, firm, corporation, or other entity which may be injured or damaged as a result of acts, omissions, or negligence on the part of the Contractor, its employees, or any person acting for or on its or their behalf relating to this Contract. The Contractor further agrees it shall be liable for the reasonable cost of attorneys for the Agency in the event such service is necessitated to enforce the terms of this Contract or otherwise enforce the obligations of the Contractor to the Agency.

In the event of any such suit or claim, the Contractor shall give the Agency immediate notice thereof and shall provide all assistance required by the Agency in the Agency's defense. The Agency shall give the Contractor written notice of any such claim or suit, and the Contractor shall have full right and obligation to conduct the Contractor's own defense thereof. Nothing contained herein shall be deemed to accord to the Contractor, through its attorney(s), the right to represent the State of Tennessee in any legal matter, such rights being governed by *Tennessee Code Annotated*, Section 8-

6-106.

- E.21. Debarment and Suspension. The Contractor certifies, to the best of its knowledge and belief, that it and its principals:
- a. are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal or State department or agency;
 - b. have not within a three (3) year period preceding this Contract been convicted of, or had a civil judgment rendered against them from commission of fraud, or a criminal offense in connection with obtaining attempting to obtain, or performing a public (Federal, State, or Local) transaction or grant under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification, or destruction of records, making false statements, or receiving stolen property;
 - c. are not presently indicted for or otherwise criminally or civilly charged by a government entity (Federal, State, or Local) with commission of any of the offenses detailed in section b. of this certification; and
 - d. have not within a three (3) year period preceding this Contract had one or more public transactions (Federal, State, or Local) terminated for cause or default.
- E.22. HIPAA Compliance. The State and Grantee shall comply with obligations under the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and its accompanying regulations.
- a. Grantee warrants to the State that it is familiar with the requirements of HIPAA and its accompanying regulations, and will comply with all applicable HIPAA requirements in the course of this contract.
 - b. Grantee warrants that it will cooperate with the State, including cooperation and coordination with State privacy officials and other compliance officers required by HIPAA and its regulations, in the course of performance of this Grant Contract so that both parties will be in compliance with HIPAA.
 - c. The State and the Grantee will sign documents, including but not limited to business associate agreements, as required by HIPAA and that are reasonably necessary to keep the State and Grantee in compliance with HIPAA. This provision shall not apply if information received by the State under this Grant Contract is NOT “protected health information” as defined by HIPAA, or if HIPAA permits the State to receive such information without entering into a business associate agreement or signing another such document.
- E. 23. XML Language Compatibility. The Grantee agrees that if grant funds are used to purchase computer systems then the Grantee shall ensure that the systems are XML compatible.
- E.24. Counter-terrorism Efforts. The Grantee agrees when funds are spent on counter-terrorism or first-responder efforts, the Grantee shall notify the State of Tennessee’s Department of Homeland Security to ensure coordination of such efforts.
- E.25. National Historical Preservation Act Compliance The Grantee shall adhere to the National Historical Preservation Act Compliance, Section 106 of the National Historic Preservation Act (16 U.S.C. Section 470, et seq., as amended) which states that prior to use of any grant funds to

renovate, alter, or otherwise improve the exterior or interior of a building, applicants for federal funds must establish identification, record keeping, reporting, consultation and decision-making processes within their programs or procedures for administering grant funds. The Grantee agrees to contact the Office of Criminal Justice Programs for additional implementation guidance before deciding on any renovation work for which the Grantee is unsure of the application of this condition.

IN WITNESS WHEREOF:

[CONTRACTOR LEGAL ENTITY NAME]:

[NAME AND TITLE]

Date

[AGENCY NAME]:

[NAME AND TITLE]

Date

**TENNESSEE CERTIFICATION OF COMPLIANCE
WITH REGULATIONS FROM U. S. DEPARTMENT OF JUSTICE,
OFFICE OF JUSTICE PROGRAMS, OFFICE FOR CIVIL RIGHTS
FOR SUBGRANTS ISSUED BY THE TENNESSEE DEPARTMENT OF FINANCE AND ADMINISTRATION,
OFFICE OF CRIMINAL JUSTICE PROGRAMS, NASHVILLE, TENNESSEE**

INSTRUCTIONS: Complete the identifying information below. Read Parts I and II of this form completely, identifying under Part "I", the person responsible for reporting civil rights findings and under Part "II" checking one certification (A, B, C1, C2) that applies to your agency. Please obtain the signature of the Authorized Official at the bottom of page 2, forward a copy of this form to the person identified under Part "I", and return the original copy of the form to the Office of Criminal Justice Programs, William R. Snodgrass Tennessee Tower, 312 8th Ave North, 12th Floor, Nashville, TN 37243-1700 with your signed contracts.

Grant #: _____ **Grant Project Title:** _____

Agency Name (Funded Subgrantee): _____

Address: _____

Duration of Grant:

Beginning Date: _____ Ending Date: _____ Award Amount: _____

Project Director's Name: _____ Phone #: _____

AUTHORIZED OFFICIAL'S CERTIFICATION: As the Authorized Official for the above Subgrantee Agency, I certify, by my signature at the end of this form, that I have read and am fully cognizant of our duties and responsibilities under this Certification.

I. REQUIREMENTS OF SUBGRANTEE RECIPIENTS: All subgrant recipients (regardless of type of entity or amount awarded) are subject to prohibitions against discrimination in any program or activity, and must take reasonable steps to provide meaningful access for persons with limited English proficiency.

- I certify that this agency will maintain data (and submit when required) to ensure that: our services are delivered in an equitable manner to all segments of the service population; our employment practices comply with Equal Opportunity Requirements, 28 CFR 42.207 and 42.301 *et. Seq.*; our projects and activities provide meaningful access for people with limited English proficiency as required by Title VI of the Civil Rights Act, (*See also* 2000 Executive Order #13166).
- I also certify that the person in this agency or unit of government who is responsible for reporting **formal and informal** civil rights **complaints** and/or findings of discrimination will submit these **complaints** and/or findings, if any, to the Tennessee Office of Criminal Justice Programs within the Department of Finance and Administration within 45 days of the finding, and/or if the finding occurred prior to the grant award beginning date, within 45 days of the grant award beginning date. A copy of this Certification will be provided to this person, as identified below:

Person identified as the Agency Compliance Coordinator responsible for reporting civil rights complaints and/or findings of discrimination:

Name: _____ Title: _____ Phone: () _____

Address: _____ State: _____ Zip _____

EQUAL EMPLOYMENT OPPORTUNITY PLAN (EEOP) CERTIFICATIONS:

Check certification box (A, B, C1 or C2 below) that applies: (Only **one** box may be checked per agency/funding entity.)

CERTIFICATION "A" [NO EEOP IS REQUIRED IF (1), (2) or (3), below, apply.] (This Certification applies to most non-profits and small agencies.) Check (1), (2) **and/or** (3) as they apply to your entity. (More than one may apply.)

This funded entity has not been awarded more than \$1 million cumulatively from all programs administered by the U.S. Department of Justice over an 18-month period that includes the above grant duration period, and:

___ (1) is an educational, medical or non-profit institution or an Indian Tribe; **and/or**

___ (2) has less than 50 employees; **and/or**

___ (3) was awarded through this grant from the Tennessee Office of Criminal Justice Programs less than \$25,000 in federal U. S. Department of Justice funds.

Therefore, I hereby certify that this funded entity is not required to maintain an EEOP, pursuant to 28 CFR 42.301. et seq.

CERTIFICATION "B" [EEOP MUST BE ON FILE]

This funded entity, as a for-profit entity or a state or local government having 50 or more employees, was awarded, through this grant from the Tennessee Office of Criminal Justice Programs, more than \$25,000, but less than \$500,000 in federal U. S. Department of Justice funds. Also, it has not been awarded more than \$1 million cumulatively from all programs administered through federal grant funding over an 18-month period that includes the above grant duration period.

Therefore, I hereby certify that the funded entity has formulated an Equal Employment Opportunity Plan in accordance with 28 CFR 42.301 et seq., sub part E, that it has been signed into effect by the proper authority and disseminated to all employees, and that it is on file for review or audit by officials of the Tennessee Office of Criminal Justice Programs or the Office for Civil Rights, Office of Justice Programs as required by relevant laws and regulations.

CERTIFICATION "C1" (EEOP MUST BE SUBMITTED)

This funded entity, as a for-profit entity or a state or local government having 50 or more employees, was awarded, through this grant from the Tennessee Office of Criminal Justice Programs, more than \$500,000 in federal U. S. Department of Justice funds, but it has not been awarded more than \$1 million cumulatively from all programs administered through federal grant funding over an 18-month period that includes the above grant duration period.

Therefore, I hereby certify that the funded entity will submit, within 45 days of the award, an Equal Employment Opportunity Plan or an EEOP short form, that will include a section specifically analyzing the subgrantee (implementing) agency, to the Office for Civil Rights, Office of Justice Programs, U.S. Department of Justice.

CERTIFICATION "C2" (EEOP MUST BE SUBMITTED)

This funded entity, as a for-profit entity or a state or local government having 50 or more employees has been awarded \$1 million cumulatively from all programs administered by the U. S. Department of Justice or any federal agency, including this subgrant from the Tennessee subgrant from the Tennessee Office of Criminal Justice Programs, over an 18-month period that includes the above grant duration period.

Therefore, I hereby certify that the funded entity will submit, within 45 days of the award, an Equal Employment Opportunity Plan or an EEOP short form, that will include a section specifically analyzing the subgrantee (implementing) agency. (If you have already submitted an EEOP applicable to this time period, send a copy of the letter received from the Office for Civil Rights showing that your EEOP is acceptable.)

I certify that I have read and am fully cognizant of our duties and responsibilities under this Certification.

(Please check)

"The Authorized Official certifies that to the best of his or her knowledge and belief that the information contained in this certification is correct and in accordance with the requirements of the application guidelines. The Authorized Official also certifies that the person named below is either the person legally responsible for committing the applying agency to this certification, or is executing this certification with the informed consent of the authorizing person (named and described in section 8 of attachment A)."

Name, Title and address of certifying designee:
(IF DIFFERENT FROM AUTHORIZED OFFICIAL)

EEOP Certification Chart

Entity Type	Number of Employees	Dollar Amount	Agency to Submit EEOP to OCR	Certification Required	Assurance Required	Send Findings of Discrimination
Educational, Medical, Nonprofit, or Indian Tribe	Does not matter	Does not matter	NO	Yes Certifying entity type is exempt	YES	YES
State or Local Governments and For-profit organizations	Does not matter	less than \$25K	NO	Yes Certifying less than \$25K	YES	YES
State or Local Governments and For-profit organizations	Less than 50	Does not matter	NO	Yes Certifying less than 50 employees	YES	YES
State or Local Governments and For-profit organizations	50 or more	More than \$25,000 and less than \$500,000	NO	Yes Certifying EEOP is on file for review	YES	YES
State or Local Governments and For-profit organizations	50 or more	More than \$500,000 for one grant OR an aggregate of \$1,000,000 or more in 18 months	YES	NO	YES	YES



STATE OF TENNESSEE DEPARTMENT OF FINANCE AND ADMINISTRATION
ACH (AUTOMATED CLEARING HOUSE) CREDITS (Not Wire Transfers)

NAME: _____

Federal Identification Number or Social Security Number _____ (under which you are doing business with the State.)

I (We) hereby authorize the State of Tennessee, hereafter called the STATE, to initiate credit entries to my (our) (select type of account) _____ CHECKING or _____ SAVINGS account indicated below and the depository named below, hereinafter called DEPOSITORY, to credit the same to such account.

This authority is to remain in full force and effect until the STATE has received written notification from me (or either of us) of its termination in such time and in such manner as to afford the STATE and DEPOSITORY a reasonable opportunity to act on it.

Do you currently receive payments from the State through ACH? _____ (Yes or No). If yes, do you intend for this account information to replace other existing account information currently used by the State? _____ (Yes or No). If yes, please specify the account that should be changed: ABA No. _____ Account No. _____. Is this authorization only for certain types of payments? _____ (Yes or No). If yes, please indicate types:

Many banking institutions use different numbers for ACH. Please call your bank for verification of ACH transit and account number.

Bank official contacted: _____ Phone No. _____

DEPOSITORY/BANK NAME _____ BRANCH _____

CITY _____ STATE _____

ACH TRANSIT / ABA NO. _____ ACCOUNT NO. _____

NAME(S) _____

(Please print names of authorized account signatory)

SIGNED X _____ SIGNED X _____

PLEASE ATTACH A VOIDED CHECK (OR FOR SAVINGS ACCOUNTS, A DEPOSIT SLIP):

PLEASE INDICATE ADDRESS TO WHICH YOU WOULD LIKE YOUR REMITTANCE ADVICES ROUTED WHEN PAYMENTS ARE PROCESSED:

Contact name: _____ Telephone No. _____

FOR STATE USE ONLY:

Contact Agency: _____

Contact Person: _____

Telephone No.: _____

FA-0825(Rev. 4/96)

SUBSTITUTE W-9 FORM

REQUEST FOR TAXPAYER IDENTIFICATION NUMBER AND CERTIFICATION

1. Please complete general information:

Taxpayer Name _____ Phone Number _____

Business Name (if applicable)

Address _____

City _____ State _____ ZIP Code _____

2. Circle the most appropriate category below: (please circle only one)

- 1) Individual (not an actual business)
 - 2) Joint account (two or more individuals)
 - 3) Custodian account of a minor
 - 4)
 - a. Revocable savings trust (grantor is also trustee)
 - b. So-called trust account that is not a legal or valid trust under state law
 - 5) Sole proprietorship (using a social security number for the taxpayer ID)
 - 6) Sole proprietorship (using a federal employer identification number for taxpayer ID)
 - 7) A valid trust, estate, or pension trust
 - 8) Corporation
 - 9) Association, club, religious, charitable, educational, or other non-profit organization (for entities that are exempt from federal tax, use category 13 below)
 - 10) Partnership
 - 11) A broker or registered nominee
 - 12) Account with the US Department of Agriculture in the name of a public entity that receives agricultural program payments
 - 13) Government agencies and organizations that are tax-exempt under Internal Revenue Service guidelines (i.e., IRC 501(c)3 entities)
-

3. Fill in your taxpayer identification number below: (please complete only one)

1) If you circled number 1-5 above, fill in your Social Security Number.

_____ - _____ - _____

2) If you circled number 6-13 above, fill in your Federal Employer Identification Number (EIN).

_____ - _____

4. Sign and date the form:

Certification - Under penalties of perjury, I certify that the number shown on this form is my correct taxpayer identification number. If I circled category 13 above, I also certify that my agency or organization is tax-exempt per Internal Revenue Service guidelines and not subject to backup withholding.

Signature _____ Date _____

Title (if applicable) _____

**TENNESSEE DEPARTMENT OF FINANCE AND ADMINISTRATION
OCJP INVOICE FOR REIMBURSEMENT FORM
25 BUDGET/COST CATEGORY LINE ITEMS**

NAME & ADDRESS OF CONTRACTOR/ SUBRECIPIENT	CLAIM PERIOD					
	INVOICE ENDING DATE:					
	CONTRACT PERIOD:		FROM:	TO:		
Program	CONTRACT #					
FEDERAL ID #	CONTACT PERSON/TELEPHONE NO.					
COST CATEGORY	(A) TOTAL CONTRACT BUDGET	(B) YTD ACTUAL EXPENDITURES THRU(M/D/Y):	(C) CURRENT MONTH'S ACTUAL EXPENDITURES.	(D) REIMBURSEMENT PERCENTAGE	(E) AMOUNT DUE (C TIMES D)	(F) FOR OFFICE USE ONLY
01 Salaries and Wages						
02 Employee Benefits & Payroll Taxes						
03 Total Personnel Expenses						
04 Professional Fees						
05 Supplies						
06 Telephone						
07 Postage and Shipping						
08 Occupancy						
09 Equipment Rental and Maintenance						
10 Printing and Publications						
11 Travel						
12 Conferences and Meetings						
13 Interest						
14 Insurance						
15 Grants and Awards						
16 Specific Assistance to Individuals						
17 Depreciation						
18 Other Nonpersonnel Expenses						
18a						
18b						
18c						
18d						
19 Total Nonpersonnel Expenses						
20 Reimbursable Capital Purchases						
21 TOTAL DIRECT PROGRAM EXPENSES						
22 Administrative Expenses						
23 TOTAL DIRECT & ADMIN. EXPENSES						
24 In-Kind Expenses						
25 TOTAL EXPENSES						

I certify to the best of my knowledge and belief that the data above is correct and that all expenditures were made in accordance with the contract conditions and that payment is due and has not been previously requested.

CONTRACTOR/SUBRECIPIENT'S
AUTHORIZED SIGNATURE

RECOMMENDED FOR PAYMENT
CONTRACTING STATE AGENCY'S AUTHORIZED CERTIFICATION

TITLE

DATE

TITLE

DATE

**TENNESSEE DEPARTMENT OF FINANCE AND ADMINISTRATION
OFFICE OF CRIMINAL JUSTICE PROGRAMS (OCJP)
INVOICE FOR REIMBURSEMENT INSTRUCTIONS**

The Invoice for Reimbursement Form is used to request **reimbursement** for expenditures incurred by the subrecipient. Please ensure that the proper OCJP Invoice for Reimbursement Form is used. The expenditure must be an allowable expenditure according to the appropriate OCJP Administrative Manual and/or appropriate Office of Management and Budget (OMB) cost principles. Funds can only be disbursed upon receipt of a **properly prepared invoice**. Funds cannot be disbursed based on **budgeted** amounts. The expense must have actually occurred before reimbursement can be made.

There are **two** options available for submitting the monthly Invoice for Reimbursement Form, (1) mailing in the paper form, **or** (2) **submitting the form** electronically—by e-mail (or diskette, if subrecipient does not have e-mail).

The preferred preference for submitting the monthly Invoice for Reimbursement Form is **electronically**. In order to expedite and support the use of e-mail for subrecipient invoice submission for OCJP subrecipients who utilize Excel spreadsheet software, the F & A Office of Business and Finance will customize the Invoice for Reimbursement Form for individual agencies. OCJP subrecipients who would like to submit electronically **can** contact OCJP_INVOICE@state.tn.us, to request invoice electronic filing. Upon request, OBF will complete parts of the Invoice Form heading and budget information, and enter formulas that will calculate some of the invoice columns. OBF will then forward by email the form to the respective subrecipient (or mail a diskette, if the subrecipient does not have email) for the subrecipient completion of the allowable expenditures for each monthly invoice.

The instructions for the Invoice for Reimbursement are as follows:

PLEASE NOTE: If you are required to have or do have a CASH match, add the cash match to your federal dollars on the appropriate line items. If you are allowed to have an in-kind match (defined fully in your OCJP Administrative Manual), add the in-kind match on Line 24 of FORM I ; In-Kind Expenses.

1. Complete the **heading** filling in the subrecipient agency's name and address, the related program area (Byrne/JAG, Family Violence, VOCA, STOP, RSAT, LLEBG, etc.), federal employer identification number, claim period (e.g., July, August, September...), invoice ending date, contract period, contract# (**i.e., Z#**), and the contact person's name and telephone number.
2. Report the expenditures in detail according to the Cost Categories of the approved budget.
3. Column A- Record the total approved budget amounts (federal plus in-kind and/or cash match) for each appropriate cost category. Cash match should be included with the federal amount on the appropriate line items/cost category and/or in-kind match on Line 24.
4. Column B- Record the year-to-date actual expenditures incurred (include match). **NOTE:** The expenditure amounts in Column B and Column C will be the same only for the first claim submitted; thereafter, Column B will be an accumulating total of monthly expenditures.
5. Column C- Report the total **allowable** expenditures for the month or claim period (including match).
6. Column D- Record the reimbursement percentage which is the federal or state share of the expenditure. If unsure of the federal share please see budget summary in your contract for the appropriate percentage..

6. Column E- Multiply the Total Expenses line item of Column C times the percentage in Column D to figure the total amount to be reimbursed.
7. Column F- For office use only.

To submit the Invoice for Reimbursement Form, send e-mail to OCJP_INVOICE@state.tn.us . For paper and diskette submission, mail to the Office of Business & Finance **(DO NOT MAIL TO OCJP)**.

OCJP INVOICE
Department of Finance and Administration
Office of Business and Finance
20th Floor William R. Snodgrass Tennessee Tower
312 8th Avenue North
Nashville, TN 37243

Policy 03

**Tennessee Uniform
Subrecipient Reporting
For
Non-profit Agencies**

<http://www.state.tn.us/finance/rds/policy03.pdf>



Office of Criminal Justice Programs

Project Equipment Summary Report

(This report is due by July 31st of each fiscal year)

1. Project Grant Number:
2. Report Date:
3. Project Name:
4. Agency Name:
5. Name of Person Completing Report:

This report must be completed for each project. It reports equipment purchased with grant or match funds in the current fiscal year of the grant. List the type of equipment, brand name and model number and purchase price for all equipment purchased with grant or match funds.

“All projects must submit this report but only if equipment was purchased during the fiscal year in question”.

List all equipment purchased during fiscal year		
Type of Equipment	Brand Name & Model Number	Purchase Price



Office of Criminal Justice Programs

**QUARTERLY PROGRAM INCOME SUMMARY REPORT
(STATE AND LOCAL GOVERNMENTS ONLY)**

All income generated as a direct result of an agency-funded project shall be deemed program income [\(See Chapter IV of OCJP Administrative Grant Manual for Subrecipients\)](#).

Project Title

Grant No.

Agency Name

Agency Address

Person Completing Report

REPORT FOR QUARTER ENDING: (Check one only)	SEPT	DEC	MAR	JUNE
	Accumulated Previously This Contract Period		Accumulated This Quarter	Total Accumulated
Forfeited Funds (Cash Only)	\$	+	\$	= \$
Forfeited Property	\$	+	\$	= \$
Other Program Income	\$	+	\$	= \$
Total Program Income	\$	+	\$	= \$

(Financial Officer's Signature)

(Date)

(Project Director's Signature)

(Date)



Office of Criminal Justice Programs

QUARTERLY PROGRAM INCOME SUMMARY REPORT
INSTRUCTIONS
(STATE AND LOCAL GOVERNMENTS ONLY)

State and Local Governments are required to provide the Office of Criminal Justice Programs with this report, within thirty (30) days of the ending of each quarterly period of the contract year. If no program income is generated, this form may be submitted annually 30 days after the end of the fiscal year or end of the grant period. The OCJP Subrecipient Quarterly Program Income Summary Report Form should be used for this report.

Note: This report is for State and Local Government use only.

All income generated as a direct result of an agency-funded project shall be deemed program income [\(See OCJP Chapter IV of the OCJP Grant Administrative Manual for Subrecipients\)](#).

Project Title: Indicate the name of your grant funded project.

Agency Name: Provide complete agency name.

Agency Address: Provide complete agency address.

Person Completing Report: Provide the name of the individual who actually prepared report.

Report for Quarter Ending: Check appropriate quarter.

Forfeited Funds (Cash Only): Refers to forfeited cash that has been awarded to your agency.

Forfeited Property: Refers to all other forfeited property awarded to your agency.

Other Program Income: Refers to program income besides that which has been forfeited, such as tuition, fees or royalties.

Accumulated Previously This Contract Year: Refers to the amounts that have been accumulated since the beginning of the new contract year (July - June).

Accumulated This Quarter: Refers to amounts that have accumulated only in the quarter being reported.

Total Accumulated: This column is the total of "Accumulated Previously..." and "Accumulated This Quarter" columns

CENTRALIZED JOURNAL VOUCHERS

Background:

For some time, the manual “J” type journal voucher has been one of the most time consuming and slowest documents to process. Typically, when the monthly reports are issued, the billing agency prepares a “J” type billing document to send to the paying agency. The journal voucher may first go to program staff who must approve the journal voucher and forward it to the fiscal office for processing.

This process often results in the initial invoice being paid by the billing agency long before costs are reimbursed by the paying agency. This is especially problematic when the paying agency is seeking reimbursement of federal funds for expenditures.

Objective:

To minimize the time between the initial expenditure by the billing agency and recording of the expenditure against the paying agency's budget.

Methodology:

In those instance where the billing agency records costs to be billed to another agency in a dedicated cost center, grant, or agency object, the two agencies involved will sign the attached billing agreement and forward the agreement to Juanita McCrary in the Division of Accounts.

The Division of Accounts will then generate a front end billing for the two agencies. The frequency of this billing will be based on the chart below:

<u>Amount</u>	<u>Frequency</u>
Up to \$100,000	Monthly
Over \$100,000 to \$500,000	Weekly
Over \$500,000	Daily

Billings will be monitored daily to determine which transactions should process.

The only documentation the Division of Accounts will supply with the front-end journal voucher will be a listing of the transactions involved in the billings. The agency receiving the revenue will be required to supply additional documentation to the paying agency at the agreed upon frequency. Both the billing and paying agency are responsible for maintaining adequate supporting documentation for audit purposes, as Accounts will not be maintaining detailed supporting documentation.

For questions relating to the Centralized Journal Voucher Procedure, please contact [OCJP JV @state.tn.us](mailto:OCJP_JV@state.tn.us) .

TO: F&A, Division of Accounts

FROM:

SUBJECT: Agency Agreement for Direct Billing of Expenditures

DATE:

Billing Agency

The following charges should be billed to the Department of _____ for _____ program.

The charges involved can be identified in STARS as follows:

<u>Allotment</u>	<u>Index</u>	<u>Percentage Grant</u>	<u>to be Billed</u>	<u>Object</u>
------------------	--------------	-------------------------	---------------------	---------------

These amounts should be credited to my agency as follows:

<u>Allotment</u>	<u>Index</u>	<u>Grant</u>	<u>Rev</u>	<u>Agency Rev</u>
------------------	--------------	--------------	------------	-------------------

Approved _____
Fiscal Officer

Paying Agency

The charges above should be billed to my agency as follows:

<u>Allotment</u>	<u>Index</u>	<u>Grant</u>	<u>Ref Doc No</u>	<u>Obj</u>	<u>Agy Obj</u>
------------------	--------------	--------------	-------------------	------------	----------------

Approved _____
Fiscal Officer

NON-PROFIT ORGANIZATIONS

A non-profit organization is defined as any corporation, trust, association, cooperative, or other organization which:

- (a) is operated primarily for scientific, educational, service, charitable, or similar purposes in the public interest;
- (b) is not organized primarily for profit; and
- (c) uses its net proceeds to maintain, improve, and/or expand its operations.

Governing Board Responsibility

The governing board of non-profit organizations is the legal contracting entity and ultimately is responsible for its overall operation.

In a non-profit agency, the governing board is a board of directors whose main function is to establish policies and to adopt rules, regulations and bylaws consistent with the purposes of the agency. It is responsible, also, for resolving management issues, evaluating the performance of the executive director, and functioning in an advisory capacity to the executive director. The board chairperson and members of the board should be residents of Tennessee.

The grant is generally signed by the board chairperson, thus making the board of directors or governing board financially liable for the service program described in the legal agreement. Board responsibilities include, but are not limited to the following:

- ◆ Ensuring that all necessary requirements of OCJP relative to the grant are met;
- ◆ Establishing policies and adopting rules, regulations, and bylaws consistent with the purpose of the agency
- ◆ Establishing accounting systems and fiscal controls consistent with generally accepted accounting principles and good business practice;
- ◆ Establishing policies prohibiting nepotism whether between the board and the agency or within the agency itself;
- ◆ Using good judgment to avoid even the appearance of a conflict of interest;
- ◆ Active involvement in directing the agency's operations through the process of regular board meetings held in accordance with the agency's bylaws;
- ◆ **Ensuring board minutes are maintained and kept on file for review by OCJP Monitoring staff;**
- ◆ Accepting liability for and resolving any costs questioned as the result of audits.

CULTURALLY COMPETENT STAFF AND LANGUAGE ACCESS

Title VI of the Civil Rights Act of 1964 states “*No person in the United States shall, on ground of race, color or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.*”

The following is a list of components or goals for an agency/organization to adopt to ensure that a culturally competent staff its maintained as well as appropriate language access for non-English speaking clients:

- Work to assure that staffing patterns adequately reflect the demographics of the populations being served
 - Identify the level of unequal accessibility for non-English speaking clients within a victim service organization
 - Appropriate financial compensation should be a consideration when hiring staff members with additional skills. According to Latino Social Work Organizations, an additional \$4,000 is adequate compensation for the additional language skill
- Agencies should include a specific description of the bilingual services offered in the organization’s brochures and/or websites
 - Materials offered to clients must take into account race discrimination, socioeconomic segregation, language limitations, and immigrant women’s lack of knowledge about U.S. laws
 - Include a specific description of language-appropriate services on paper; this gives potential clients clear expectations and holds agencies accountable for providing culturally appropriate services
 - When an agency states that they offer bilingual services, the level and timeframe should be articulated in both languages on all materials
- Respect diversity within diversity and dialect variance within other communities/ethnicities by incorporating language accessibility and cultural competency into all mandated staff and volunteer training
- Allocate sufficient funds for second-language materials, bilingual staff, interpreters, etc.
- All program staff, substitutes, and volunteers should receive training in victim’s language rights and in how to advocate for those rights
- All program staff, substitutes, and volunteers should be trained in how to work with an interpreter
- Having a single part-time staff or volunteer does not make an agency bilingual; identifying an agency’s limitations is a must; not doing so may contribute to revictimization
- When bilingual staff or volunteers are not available, staff should subscribe to a professional interpreter service such as the AT&T Language Line
- Contract with interpreters who provide services in each of the languages represented in the community who will work with the agency as needed to help offer a full range of services.

- These interpreters should complete specialized training, according to the needs of the agency
 - When hiring interpreters, the agency should preferentially use licensed or certified interpreters and/or interpreters who have completed specialized training in mental health and domestic and sexual violence.
- Hiring multiple interpreters, or a corps of interpreters, avoids conflicts that arise in small ethnic communities where the interpreter may be a friend of the abuser or in the abuser's family and may not respect confidentiality
- An interim approach could include working with bilingual staff at other agencies who will assist by offering both interpretation and support for immigrant and non-English speaking women
- An agency could also recruit a group of volunteer interpreters
- It is dangerous and inappropriate to use the victim's companions or children, regardless of age, as interpreters because:
 - The companion may be the abuser
 - The victim may edit their conversation because they fear their words will be spread in the community
 - The victim may edit their conversation to protect their children because the knowledge of abuse may traumatize or endanger them
 - The victim may edit their conversation to protect her dignity (e.g., in many cultures, it is deemed inappropriate to share relationship or sexual problems with one's children)
 - Staff should never ask the victim in front of her companion if she wishes him to serve as the interpreter because the companion may be the abuser.
- Community based organizations that serve immigrant communities can help recruit volunteers
- Because bilinguals often read newspapers in both English and another language, placing advertisements in local non-English newspapers and newsletters may often yield results
- Internship programs often attract bilingual/bicultural students and can be recruited as staff in the future
- The following can help agencies cultivate the language skills of their existing staff:
 - Paying for language-training classes for current staff
 - Bringing in a language instructor to the agency's office to provide classes during working hours
 - Providing paid leave time to staff to take language classes
- Agencies that place a priority on hiring bilingual staff each time there is an opening will eventually become better providers
- Mail job announcements to agencies and organizations who serve diverse communities
- Mail job announcements to language departments, Latin/Asian/Afro-American studies departments of local universities, and university papers
- Develop a list of ethnic language minority newspapers and newsletters in which to advertise

- Although hiring bilingual individuals from different cultures does not in itself ensure that the staff is culturally competent and sensitive, this practice is a critical component to the delivery of relevant and effective services for all consumers
- The goal of staff diversity should be incorporated into organization's mission statements, strategic plans, and goals
- Organizations should use proactive strategies, such as incentives, mentoring programs, and partnerships with local schools and employment programs to build diverse workforce capacity
- Staff education and training is crucial to ensure cultural competency because all staff will interact with clients representing different ethnicities, acculturation levels, and social and economic standing
- Organizations should develop, implement, and promote a written strategic plan that outlines clear goals, policies, operational plans, and management accountability/oversight mechanisms to provide culturally competent services
- Organizations should conduct initial and ongoing organizational self-assessments and are encouraged to integrate cultural and linguistic competence-related measures into their internal audits, performance improvement programs, patient satisfaction assessments, and outcomes-based evaluations
- Determine number or proportion of persons who would be excluded from services due to language barriers
- Interpreters should:
 - Be proficient and have the ability to communicate accurately in both English and the other language
 - Have knowledge in both languages of specialized terms
 - Understand rules regarding confidentiality and impartiality
 - Adhere to their role as interpreters, not as advisors or counselors
- It should be ensured that the client feels comfortable with the interpreter
- The interpreter should initially work with the client on a safety plan that includes language access and continuing contact with the agency
- Make sure voice mail is in different languages or develop a plan with clients for them to be able to leave a message
- Ensure that everyone who is in contact with the non-English speaking client is aware of how to access an interpreter

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- II. Program Purpose/Requirements
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- A. Federal Legislative Authority
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BYRNE/JAG INTRODUCTION

This document is provided for use by all subrecipient staff receiving federal grant funds from the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, **Edward Byrne Memorial Justice Assistance Grant (JAG)** Program administered by the Tennessee Office of Criminal Justice Programs (OCJP). This Guide is to serve as reference for the financial and programmatic requirements/responsibilities of projects funded through the Edward Byrne Memorial **Justice Assistance** Grant Program.

This guide is not intended to replace more detailed technical assistance available from the OCJP Program Manager assigned to your project. Subrecipient staff are encouraged to address questions or concerns regarding the subject matter in this guide or other issues to your OCJP Program Manager.

Edward Byrne Memorial Justice Assistance Grant (CFDA # 16.579): The Edward Byrne Memorial Justice Assistance Grant (JAG) Program allows states, tribes, and local governments to support a broad range of activities to prevent and control crime based on their own local needs and conditions. **JAG blends the previous Byrne Formula and Local Law Enforcement Block Grant (LLEBG) Programs** to provide agencies with the flexibility to prioritize and place justice funds where they are needed most.

Formula

The JAG formula includes a *state allocation* consisting of a minimum base allocation with the remaining amount determined on population and Part 1 violent crime statistics, and a *direct allocation* to units of local government. Once the state allocation is calculated, 60% of the funding is awarded to the state and 40% to eligible units of local government. State allocations also have *variable pass through* requirements to locals, calculated by the Bureau of Justice Statistics (BJS) from each state's crime expenditures.

Purpose Areas

JAG funds can be used for state and local initiatives, technical assistance, training, personnel, equipment, supplies, contractual support and information systems for criminal justice for any one or more of the following purpose areas:

- Law enforcement programs
- Prosecution and court programs
- Prevention and education programs
- Corrections and community corrections programs
- Drug treatment programs
- Planning, evaluation and technology improvement programs

***Any law enforcement or justice initiative previously eligible for funding under Byrne or LLEBG is eligible for JAG funding.**

CHAPTER I

BYRNE/JAG ELIGIBLE SUBRECIPIENTS

- A. Application Process: The Byrne/JAG application announcement routinely occurs each State fiscal year usually in the spring (March, April)
- Eligible Subrecipients: The intent of the Byrne/JAG Formula Grant Program is to assist units of state and local government and **non-profit organizations** in carrying out specific programs that offer a high probability of improving the functioning of the criminal justice system. Special emphasis is placed on multi-jurisdictional programs and on programs that advance national drug control priorities. In accordance with Section 501 of the Act, the State may award Byrne/JAG Formula Grant Program funds to state agencies, units of local government, **and non-profit organizations** for the following purposes:
- a. Enforcing state and local laws that establish offenses similar to offenses established in the Controlled Substance Act (21 U.S.C. 801 *et seq.*).
 - b. Emphasizing prevention and control of violent crime and serious offenders.
 - c. Improving the functioning of the criminal justice system.

CHAPTER II

BYRNE/JAG GRANT PURPOSE/REQUIREMENTS

A. Program Purpose

The Edward Byrne/JAG Formula Grant Program is a partnership among federal, state and local governments, and non-profit organizations to create safer communities and improved criminal justice systems. The Byrne/JAG program, created by the Anti-Drug Abuse Act of 1988 (Public Law 100-690), emphasizes controlling violent and drug-related crime and serious offenders and fosters multi-jurisdictional and multi-state efforts to support national drug-control policies. This grant program provides funding for projects which assist local and state government and non-profit agencies in their efforts to reduce violent crime and illegal drug activities, improve the criminal justice system and support local, state and national priorities. The projects funded should offer a high probability of improving the functioning of the criminal justice system as they relate to the specific state/local agency. Federal funding is available for up to forty-eight (48) consecutive months. The grant project should be created in such a manner that, if successful, can be replicated by other agencies. At the conclusion of the federal grant funding, the agency is expected to continue the project with regular budgeted funds.

Formula grant funds may be used to support projects that enforce state and local laws which establish offenses similar to offenses established in the Federal Controlled Substances Act, and to improve the functioning of the criminal justice system, with emphasis on violent crime and serious offenders. Funds may be used to provide personnel, equipment, training and technical assistance to support more widespread prevention, apprehension, prosecution, adjudication, detention, treatment and rehabilitation of offenders who violate state and local laws.

B. Program Requirements

Under the Byrne/JAG Grant Program, each state is required to develop a four-year statewide strategy for violent crime and drug control aimed at identifying available resources for activities, which are perceived to have the greatest impact on the violent crime and drug problem in the state.

In developing Tennessee's four-year statewide strategy, the Office of Criminal Justice Programs solicited input from the criminal justice community regarding program priorities. Additionally, judicial districts and state agencies submitted individual strategies. These strategies are plans from individual communities and state departments regarding their priorities for intervention. Participation in a local/state strategy process is a prerequisite for eligibility to receive funds under this grant.

At least 25 percent of the cost of the project funded must be paid in cash with nonfederal funds. These "match" funds must be in addition to funds that would otherwise be made available by the subrecipient for criminal justice.

The intent of the Byrne/JAG Formula Grant Program is to provide criminal justice assistance to state agencies, local units of government, **and non-profit organizations**. The Department of Justice has defined a unit of local government as a general-purpose political subdivision of a state, such as a judicial district, city or county. Grants from this program can only be awarded to such entities.

In order for law enforcement agencies to qualify for grant funds, the agency must comply with the following:

Fingerprint Reporting Requirement. The Agency shall ensure that they will comply with Tennessee Code Annotated (TCA) 38-3-122 and will submit all fingerprints taken to the Tennessee Bureau of Investigation (TBI).

TIBRS Reporting Requirement. The Agency shall ensure that they will comply with Tennessee Code Annotated (TCA) 38-10-101 et seq. and will submit crime statistics using the Tennessee Incident Based Reporting System (TIBRS) to the Tennessee Bureau of Investigation (TBI).

Agencies applying for Multi-jurisdictional Drug and Violent Crime Task Force grant funds must submit a Memorandum of Understanding to the Office of Criminal Justice Programs along with this application. The Memorandum of Understanding, as well as the Board of Directors, must include the participation of at least two law enforcement agencies. The Memorandum of Understanding must include:

- **A list of the Drug Task Force Board of Directors along with a description of their duties.**
- **A detailed description of the contributions from and expectations of each of the participating Drug Task Force agencies.**
- **The number and type of law enforcement officer(s) from each agency participating in the Drug Task Force and the individual duties of each officer.**

Agencies must also provide a separate list of all the law enforcement agencies within their respective judicial districts whether or not they are a party to the Memorandum of Understanding. These requirements are in addition to any requirements set forth in Tennessee Code Annotated, Sections 12-9-101 et seq., 6-54-307, 58-8-103 and 8-7-110.

The agency shall ensure year 2000 compliance with any contractual provisions related to computer hardware and software.

Agencies must comply with Tennessee Code Annotated, Section 37-1-403 and 37-1-605 by reporting suspected cases of child abuse to the Department of

Children's Services and with Tennessee Code Annotated 71-6-103 by reporting cases of adult abuse to the Department of Human Services as required by law.

C. Program Priorities

Byrne/JAG Grant Funds may be used to implement projects that carry out at least one of six federal legislatively authorized purpose areas. In order to most efficiently utilize resources available and address the most serious gaps and service needs in Tennessee's criminal justice system, the Office of Criminal Justice Programs focuses on the most critical purpose areas and gives priority consideration to programs that fall into these federal purpose areas. These priorities are identified each year in the Byrne/JAG Program Grant Application.

D. Program Evaluation

The Anti-Drug Abuse Act of 1988 mandates that all programs funded under the Byrne/JAG Program be evaluated. The goal is to identify and disseminate information about programs of proven effectiveness so that jurisdictions throughout the country can replicate them. In addition, evaluation results guide the formulation of policy and programs within federal, state and local criminal justice agencies.

Formula grant program applicants must include an evaluation component that meets the BJA/NIJ evaluation guidelines. OCJP will determine the program areas that may be evaluated each year. The Director of BJA may waive this requirement under certain circumstances. Each state is required to provide BJA with an annual report that includes a summary of its grant activities and an assessment of the impact of these programs on the needs identified in its statewide strategy. Formula grant funds may be used to pay for evaluation activities.

CHAPTER III

BYRNE/JAG UNALLOWABLE COSTS

JAG funds cannot be used directly or indirectly for security enhancements or equipment to nongovernmental entities not engaged in criminal justice or public safety. Based on extraordinary and exigent circumstances making the use of funds essential, OCJP may certify an agency's request to use funds for:

- Vehicles, vessels, or aircraft.
- Luxury items.
- Real estate.
- Construction projects, other than penal or correctional institutions.

**CHAPTER IV
BYRNE/JAG REQUIRED REPORT TIMELINES**

REPORT	PERIOD COVERED	SUBMIT TO OCJP
<u>F&A Invoice For Reimbursement (See OCJP Appendix I)</u>	Monthly	(OCJP Invoice@state.tn.us) Office of Budget and Finance Monthly
<u>Quarterly Program Income Summary (See OCJP Appendix L)</u>	July through September October through December January through March April through June	(Assigned Program Manager at OCJP) October 30 th January 30 th April 30 th July 30 th
<u>Equipment Summary (See OCJP Appendix K)</u>	July 1 st through June 30 th	(Assigned Program Manager at OCJP) July 31 st
<u>Byrne/JAG Annual Report (See Byrne/JAG Appendix B)</u>	July 1 st through June 30 th	(Assigned Program Manager at OCJP) July 31 st
<u>Policy 03 Quarterly Expense and Revenue Report (Non-Profit Agencies Only) (See OCJP Appendix J)</u>	Quarterly for Period Ending September December March June	(Janet Stewart at OCJP) October 15 th January 15 th April 15 th July 30 th

CHAPTER V

BYRNE/JAG USE OF CONFIDENTIAL FUNDS

These provisions apply to all subrecipients involved in the administration of grants containing confidential funds.

Confidential funds are those monies allocated to:

- A. Purchase of Services (P/S): This category includes travel or transportation of a non-Federal officer or an informant; the lease of an apartment, business front, luxury-type automobiles, aircraft or boat, or similar effects to create or establish the appearance of affluence; and/or meals, beverages, entertainment, and similar expenses (including buy money and flash rolls, etc.) for undercover purposes, within reasonable limits.
- B. Purchase of Evidence (P/E): This category is for the purchase of evidence and/or contraband, such as narcotics and dangerous drugs, firearms, stolen property, counterfeit tax stamps, etc., required to determine the existence of a crime or to establish the identity of a participant in a crime.
- C. Purchase of Specific Information (P/I): This category includes the payment of monies to an informant for specific information. All other informant expenses would be classified as Purchase of Service (P/S) and charged accordingly.

These funds should only be allocated when:

The particular merits of a program/investigation warrant the expenditure of these funds.

Requesting agencies are unable to obtain these funds from other sources.

Confidential funds are subject to prior approval. Such approval will be based on a finding that they are a reasonable and necessary element of project operations. In this regard, OCJP must also ensure that the controls over disbursement of confidential funds are adequate to safeguard against the misuse of such funds.

- D. Confidential Funds Certification: A signed certification that the project director has read, understands, and agrees to abide by these provisions is required from all projects that are involved with confidential funds from either Federal or matching funds. The signed certification must be submitted at the time of grant application.
- E. Written Procedures: Each project agency authorized to disburse confidential funds must develop and follow internal procedures that incorporate the following elements. Deviations from these elements must receive prior approval of OCJP.
1. Imprest Fund: The funds authorized will be established in an imprest fund that is controlled by a bonded cashier.
 2. Advance of Funds: The supervision of the unit to which the imprest fund is assigned must authorize all advances of funds for the purchase of information. Such authorization must specify the information to be received, the amount of expenditure, and the assumed name of informant.
 3. Informant Files: Information files are confidential files of the true names, assumed names, and signature of all informants to whom payments of confidential expenditures have been made. To the extent possible, pictures and/or fingerprints of the information payee should also be maintained. Project Headquarters may maintain case files.
 4. Cash Receipts:
 - a. The cashier shall receive from the agent or officer authorized to make a confidential payment a receipt for cash advancement to him/her for such purposes.
 - b. The agent or officer shall receive from the information payee a receipt for cash paid to him/her.
 5. Receipt for Purchase of Information: An information payee receipt (Sample: Appendix D) shall identify the exact amount paid to and received by the information payee on the date of the transaction. Cumulative or anticipatory receipts are not permitted. Once the receipt has been completed, no alteration is allowed. The agent shall prepare an information payee receipt containing the following information:
 - a. The jurisdiction initiating the payment
 - b. A description of the information/evidence received
 - c. The amount of payment, both in numerical and word form
 - d. The date on which the payment was made
 - e. The signature of the informant payee

- f. The signature of the case agent or officer making payment
 - g. The signature of at least one other officer witnessing the payment
 - h. The signature of the first line supervisor authorizing and certifying the payment.
6. Review of Certification: The signed receipt from the informant payee with a memorandum detailing the information received shall be forwarded to the agent or officer in charge. The agent or officer in charge shall compare the signatures. He/she shall also evaluate the information received in relation to the expenses incurred and his/her evaluation remarks in the report of the agency or officer who made the expenditure from the imprest fund. The certification will be witnessed by the agent or officer in charge on the basis of the report and informant payee's receipt.
 7. Reporting of Funds: Each project director shall prepare a reconciliation report on the imprest fund on a quarterly basis. Information to be included in the reconciliation report will be the assumed name of the informant given and to what extent this information contributed to the investigation. Subrecipients shall retain the reconciliation report in their files and have available for review by OCJP or representatives of the State or OCJP upon request.
 8. Record and Audit Provision: Each project director and member agency must maintain specific records of each confidential fund transaction. At a minimum, these records must consist of all documentation concerning the request for funds, processing (should include the review and approval/disapproval), modifications, closure or impact material, and receipts and/or other documentation necessary to justify and track all expenditures. Refer to the documentation under Information Files for a list of documents, which should be in the informant files. In projects where grant funds are used for confidential expenditures, it will be understood that all of the above records, except the true name of the informant, are subject to the record and audit provisions of OCJP and appropriate T.C.A. Statute.

F. Information Files:

1. **Security:** A separate file should be established for each informant for accounting purposes. Informant files should be kept in a separate and secure storage facility, segregated from any other files, and under the exclusive control of the project director or an employee designated by him/her. The facility should be locked at all times when unattended. Access to these files should be limited to those employees who have a necessary legitimate need. An informant file should not leave the immediate area, except for review by a management official or the handling agent, and should be returned prior to the close of business hours.

Sign-out logs should be kept indicating the date, information number, time in and out, and the signature of the person reviewing the file.

2. **Documentation:** Each file should include the following information:
 - a. Informant Payment Record kept on top of the file. This record provides a summary of informant payments. (See Appendix D for Informant Payee Receipt Form).
 - b. Informant Establishment Record, including complete identifying and locating data, plus any other documents connected with the informant's establishment.
 - c. Current photograph and fingerprint card (or FBI/State Criminal Identification Number).
 - d. Agreement with Cooperating Individual.
 - e. Receipt for Purchase of Information.
 - f. Copies of all debriefing reports (except for the Task Force case file).
 - g. Copies of case initiation reports bearing on the utilization of the informant except for the Task Force case file.
 - h. Copies of statements signed by the informant (unsigned copies will be placed in appropriate investigative files).
 - i. Any administrative correspondence pertaining to the informant, including documentation of any representations made on his behalf or any other non-monetary considerations furnished.
 - j. Any deactivation report or declaration of an unsatisfactory informant.

- G. **Accounting and Control Procedures:** Special accounting and control procedures should govern the use and handling of confidential expenditures, as described below:
 1. It is important that expenditures which conceptually should be charged to Purchase of Evidence (PE), Purchase of Specific Information (PI), or Purchase of Service (PS) are in fact so charged. It is only in this manner that these funds may be properly managed at all levels and accurate forecasts of projected needs can be made.
 2. Each law enforcement entity should apportion its PE/PI/PS allowances throughout its jurisdiction and delegate authority to approve PE/PI/PS expenditures to those offices, as it deems appropriate.
 3. Task Force management should establish guidelines authorizing offices to spend up to a predetermined limit of their total allowance on any one investigation.

4. **In exercising his/her authority to approve these expenditures, the Task Force Director or designee should consider:**
 - a. The significance of the investigation;
 - b. The need for this expenditure to further that investigation; and Anticipated expenditures in other investigations. Funds for PE/PI/PS expenditures should be advanced to the officer for a specific purpose. If they are not expended for that purpose, they should be returned to the cashier. They should not be used for another purpose without first returning them and repeating the authorization and advance process based on the new purpose.

5. **Funds for PE/PI/PS expenditure** should be advanced to the officer on a suitable receipt form. A receipt for purchase of information or a voucher for purchase of evidence should be completed to document funds used in the purchase of evidence or funds paid or advanced to an informant.

For security purposes, there should be a 48-hour limit on the amount of time funds advanced for PE/PI/PS expenditure may be held outstanding. If it becomes apparent at any point within the 48-hour period that the expenditure will not materialize, then the funds should be returned to the advancing cashier as soon as possible. The level of management that approved the advance may grant an extension to the 48-hour limit. Factors to consider in granting such an extension are the amount of funds involved, the degree of security under which the funds are being held, how long an extension is required, and the significance of the expenditure. Such extensions should be limited to 48 hours. Beyond this, the funds should be returned and re-advanced, if necessary. Regardless of circumstances, within 48 hours of the advance, the fund cashier should be presented with either the unexpended funds, an executed voucher for payment for information or purchase of evidence, or written notification by management that an extension has been granted.

Purchase of Services (P/S) expenditures, when not endangering the safety of the officer or informant, need to be supported by canceled tickets, receipts, lease agreements, etc. If not available, the Task Force Director, or his/her immediate subordinate, must certify that the expenditures were necessary and justify why supporting documents were not obtained.

For confidential funds sample receipt see Byrne/JAG [Appendix D](#)

CHAPTER VI BYRNE/JAG VICTIM WITNESS COORDINATOR PROGRAM

This chapter is to serve as reference for the financial and programmatic requirements/responsibilities of projects funded through the Byrne/JAG Victim/Witness Coordinator Grant. It is not intended to replace more detailed technical assistance available from the OCJP Program Manager assigned to your project. Each Judicial District is encouraged to address questions or concerns regarding the subject matter in this guide or other issues to your OCJP Program Manager.

A. ORGANIZATION OF PROGRAM

OCJP contracts with the Tennessee District Attorneys General Conference to fund 30 Victim/Witness Coordinators across the state. The Victim/Witness Coordinator program funded by the Byrne/JAG money, also known as the “Bundled Grant”, consists of victim/witness coordinators and assistant victim/witness coordinators in 15 Judicial Districts. All Judicial Districts with a Byrne/JAG funded coordinator report performance measurement data, invoices and administrative issues to the Tennessee District Attorneys General Conference (TNDAGC). The Tennessee District Attorneys General Conference reports aggregated data, invoices and statewide administrative issues to the Office of Criminal Justice Programs.

B. VICTIM-WITNESS COORDINATOR (T.C.A. 8-7-206)

T.C.A. code established the creation of Victim Witness Coordinators. This created in each judicial district the position of Victim Witness Coordinator to be appointed by the District Attorney General. The duties of the Coordinator shall include:

Keeping victims and witness informed of court dates and actions affecting their cases, including preliminary hearings, evidentiary hearings, trial dates, and sentencing hearings;

Assisting victims and witnesses to better understand the way the criminal justice system works, including the procedure and basis for continuances of cases and the procedure involved in the plea bargaining process;

Assisting victims to become more involved in the processes which affect the perpetrator of the crime, such as the plea bargaining process and the sentencing process, including pre-sentence reports and the sentencing hearing itself;

Informing victims and witnesses of scheduled actions affecting the state of appropriate inmates, including notification of any Department of Correction decision permitting such inmate’s release into the community, or any scheduled hearing by the Board of Paroles concerning the possible parole or executive clemency of such inmate;

Assisting in obtaining restitution of victims of crime directly for the perpetrator of the crime who possible; and
Assisting eligible victims in obtaining benefits from the criminal injuries compensation program.

C. REPORTING REQUIREMENTS

All subrecipients are responsible for periodic reporting of data on their projects to OCJP. These reports are used to monitor projects, fulfill federal grant reporting requirements, provide information for state strategies and implementation plans, assist OCJP in determining project success and funding allocations, request reimbursement or close out a grant. **Examples of each form are provided in the Byrne/JAG Appendices. Forms may be reproduced locally, but should maintain the original format and content.**

NOTE: Each Judicial District and the TNDAGC are required to gather and maintain statistical data relating to grant project activities as required by the Office of Criminal Justice Programs. The data collected should support the information submitted on the mid-year semi-annual and the year-end semi-annual reports. OCJP may periodically request to see the back-up data that supports the information submitted on your mid-year semi-annual and year-end semi-annual output and outcome reports.

1. Individual Judicial District Requirements

Each Judicial District is responsible for periodic reporting of output and outcome data on their projects to either OCJP or the TNDAGC. Reporting requirements for each Judicial District include:

Mid-Year Semi-Annual Outcome Report (online to OCJP)
Year-End Semi-Annual Outcome Report (online to OCJP)
Community and/or Collaborator Surveys (online to OCJP)
Mid-Year Semi-Annual Output Report (to TNDAGC)
Year-End Semi-Annual Output Report (to TNDAGC)
Annual Output Projection Report (to TNDAGC)

Each Judicial District is responsible for timely submission of the following program reports:

- a. **Mid-Year Semi-Annual Outcome Reporting:** outcome reporting is required of each Judicial District at mid-year. **The mid-year semi-annual Outcome Report due on January 31st covers the period July 1st through December 31st.** Outcomes are benefits resulting for the participants from the program activities. OCJP is interested in collecting project outcome data based on “Victim Witness” core outcome types. Core Outcome Indicators and Recommended Measures and Data Collection Methods are included in [Byrne/JAG Appendix E](#). Sample client surveys are included in [Byrne/JAG Appendix F](#). The mid-year semi-annual Outcome Report will be available on our website at

<http://www.state.tn.us/finance/rds/ocjp.htm> and should be submitted to OCJP by January 31st.

- b. **Year-End Semi-Annual Outcome Reporting:** Outcome reporting is required at the end of each contract year. **The year-end semi-annual Outcome Report covers the period of January 1st through June 30th.** The report will be available through our website at <http://www.state.tn.us/finance/rds/ocjp.htm> and should be submitted to OCJP by July 31st.
- c. **Community and/or Collaborator Surveys** (as required based on your program type) cover the period **July 1st through June 30th.** The Community and/or Collaborator Survey Reports should be reported annually with second outcome report to OCJP by July 31. (See [Byrne/JAG Appendix F](#) for Sample Victim/Community/ Collaborator Surveys)
- d. **Mid-Year Semi-Annual Output Reporting:** Output reporting is required of all Byrne/JAG Victim/Witness programs at mid-year. The mid-year semi-annual Output Report covers the period July 1st through December 31st. Outputs are counts of activities and a measure of work accomplished by the program. All output data will be sent to the District Attorneys General Conference who will then aggregate the data for submission to OCJP. The Mid-year Semi-Annual Output Report will be available on our website at <http://www.state.tn.us/finance/rds/ocjp.htm>. (See [Byrne/JAG Appendix H](#) for Sample Output Report) Please note that this report replaces the Byrne/JAG Annual Report for this grant ONLY.
- e. **Year-end Semi-Annual Output Reporting:** Output reporting is required of all Byrne/JAG Victim/Witness programs at year-end. The year-end semi-annual Output Report covers the period January 1st through June 30th. All output data will be sent to the District Attorneys General Conference who will then aggregate the data for submission to OCJP. The year-end semi-annual Output Report will be available on our website at <http://www.state.tn.us/finance/rds/ocjp.htm>. (See [Byrne/JAG Appendix H](#) for Sample Output Report) Please note that this report replaces the Byrne/JAG Annual Report for this grant ONLY.
- f. **Annual Output Projection Report:** Each Judicial District is required to submit specific grant performance projected data. All data will be sent to the District Attorneys General Conference who will then aggregate the data for submission to OCJP. The Annual Output Projection Report will be available on our website at <http://www.state.tn.us/finance/rds/ocjp.htm>. (See [Byrne/JAG Appendix I](#) for Sample Output Projection Report)

2. TNDAGC Reporting Requirements

The TNDAGC is responsible for reporting Byrne Grant requirements as well as for periodic reporting of aggregated data to OCJP. Reporting requirements for the TNDAGC include:

Quarterly Income Summary Reports

Mid-year Semi-Annual Output Report (statewide totals)

Year-end Semi-Annual Output Report (statewide totals)

Annual Output Projection Report (statewide totals)

Project Equipment Summary Report if equipment purchased

As with all Byrne/JAG projects, the District Attorneys General Conference will be required to submit the following reports to OCJP:

- a. **Quarterly Income Summary Reports:** This report form is completed on a quarterly basis if program income is generated as a direct result of an agency-funded activity. It is due thirty (30) days after the close of each State fiscal year quarter, (July 1 – September 30), (October 1 – December 31), (January 1 – March 31), (April 1, - June 30). All income generated as a direct result of an agency funded project shall be deemed program income and reported via the use of this form. If no program income is generated, this form may be submitted annually 30 days after the end of the fiscal year or end of the grant period. (See **OCJP Appendix L** -Quarterly Program Income Report)
- b. **Mid-Year Semi-Annual Output Reporting:** Each Judicial District is required to submit specific grant performance data at mid-year. All data will be sent to the District Attorneys General Conference who will then aggregate the data for submission to OCJP. **The mid-year semi-annual Output Report is due on January 31st and covers the period July 1st through December 31st.** The Mid-Year Semi-Annual Output Report will be available on our website at <http://www.state.tn.us/finance/rds/ocjp.htm>. (See **Byrne/JAG Appendix H** for Sample Output Report) Please note that this report replaces the Byrne/JAG Annual Report for this grant ONLY.
- c. **Year-End Semi-Annual Output Reporting:** Each Judicial District is required to submit specific grant performance data at year end. All data will be sent to the District Attorneys General Conference who will then aggregate the data for submission to OCJP. **The year-end semi-annual Output Report is due on July 31 and covers the period January 1st through June 30st.** The Mid-Year Semi-Annual Output Report will be available on our website at <http://www.state.tn.us/finance/rds/ocjp.htm>. (See **Byrne/JAG Appendix H** for Sample Output Report) Please note that this report replaces the Byrne/JAG Annual Report for this grant ONLY.
- d. **Annual Output Projection Report:** Each Judicial District is required to submit specific grant performance projected. All data will be sent to the District Attorneys General Conference who will then aggregate the data for submission to

OCJP. The Annual Output Projection Report will be available on our website at <http://www.state.tn.us/finance/rds/ocjp.htm>. (See [Byrne/JAG Appendix I](#) for Sample Output Projection Report)

- e. **Project Equipment Summary Report:** This report is completed on an annual basis, if equipment is purchased with grant funds during the current fiscal year. It is due to OCJP no later than thirty (30) days past the end of the State fiscal year or July 31st. For multi-year projects, the Project Equipment Report should specifically identify any purchases that have been made for equipment, either totally or in part with grant money, since the last fiscal year. (See [OCJP Appendix K](#) -Project Equipment Summary Report)

NOTE: Subrecipient programs are not required to use client surveys to collect required **core outcome data** , but they are required to provide data addressing the core outcome indicators and measures for your specific project type, using a standard five-point scale (Strongly Agree to Strongly Disagree) for all client feedback and satisfaction data. Subrecipients should not change the substance of the core outcome measures. Subrecipient agencies may also choose to use other available data sources to further validate and verify subrecipient data i.e. exit interviews, case notes, focus groups, staff observation, etc. **NOTE: Data based on staff observations should be submitted as supplemental information and NOT included with client feedback data.**

Data may be collected on the required **satisfaction** measures separately from participant outcome data in order to assure confidentiality. If a separate process is used to collect data on the required satisfaction measures, that process must be separately described in the logic model project narrative. See VWC [Appendix J](#) Rules/Guidelines for OCJP Required Data Collection.

[Please click here for OCJP Reports \(OCJP Chapter VII\)](#)

**BYRNE/JAG VICTIM WITNESS COORDINATOR
PROGRAM
REPORTING TIMELINES**

REPORT	PERIOD COVERED	SUBMIT TO
Individual Judicial Districts		
Mid-Year Semi-Annual Outcome Report	July 1 to December 31	Online to OCJP January 31
Year-End Semi-Annual Outcome Report	January 1 to June 30	Online to OCJP July 31
Community and/or Collaborator Survey Report	July 1 to June 30	Online to OCJP July 31
Mid-Year Semi-Annual Output Report	July 1 to December 31	Sue Jones, Statewide Victim Witness Coordinator at TNDAGC
Year-End Semi-Annual Output Report	January 1 to June 30	Sue Jones, Statewide Victim Witness Coordinator at TNDAGC
Annual Projected Output Report	July 1 to June 31	Sue Jones, Statewide Victim Witness Coordinator at TNDAGC
Tennessee District Attorneys General Conference		
Department of Finance & Administration Journal Voucher for Reimbursement	Current month	Online to Office of Business & Finance OCJP_INVOICE@state.tn.us Monthly
Quarterly Program Income Summary	July 1 to June 31	Online to OCJP July 31
Mid-Year Semi-Annual Output Report	July 1 to December 31	Online to OCJP January 31
Year-End Semi-Annual Output Report	January 1 to June 30	Online to OCJP July 31
Annual Output Projection Report	July 1 to June 31	Online to OCJP July 31
Project Equipment Summary	July 1 to June 31	Online to OCJP July 31

CHAPTER VII

PERFORMANCE MEASUREMENT AND DECISION- MAKING

D. Performance Measurement

1. The Office of Criminal Justice Programs, like all funders, wants to be a responsible steward of limited federal and state grant money. To accomplish this goal, OCJP works to assure that grants are awarded to agencies that can demonstrate they make a difference for clients. We have continually worked with our subrecipient agencies to provide them with the tools and experience they need to manage their operations and to demonstrate their accountability. *We recognize that the combination of output, outcome and satisfaction data comprise a best picture possible of an agency's performance.*
2. OCJP is interested in subrecipient agencies improving performance as well as quantifying their effort. It has been demonstrated that agencies that want to survive and flourish must make significant efforts to continually improve performance and to be able to prove it with verifiable measurements.
3. Although output data is important and will continue to be collected, used and submitted to our federal funders, outcome data has provided us with additional information related to the results of agency efforts on the clients the OCJP/subrecipient partnership serves. Outcome information describes some change in the participant's condition and establishes the benefits of the funding in measurable terms.
4. We recognize that there are basically three reasons for attending to client outcomes:
 - (a) **To Improve Program Performance** - Agencies exist to help clients find better lives. Agencies want clients safer, more informed, aware of their options and exercising better judgment. Subrecipient agencies need solid information about how well their clients are doing in order to continue improving the quality of their programs.
 - (b) OCJP and other funding sources must be in a position to make funding decisions:

- When funds are available, funding agencies need information on results to decide which service models to support.
- When funds are limited, funding agencies must be able to direct limited resources toward approaches known to work.

(c) **To Meet Federal Reporting Requirements.**

5. Performance data can be used to monitor and measure individual program performance or aggregated by project type, the state and/or fund source.
6. OCJP will continue to expect programs to use the logic model to describe how their grant-funded project theoretically works to benefit the target group. OCJP will also continue to collect and use **output** and outcome information as we manage our federal grants.
7. The data collected and reported by Tennessee subrecipients answer three questions:
 1. **OUTPUTS** - What are we doing?
 2. **SATISFACTION** - How well are we doing it?
 3. **OUTCOMES** - How is the client doing?
8. OCJP does not collect information with which to compare one program or project with another. However OCJP publishes data on our website by which any agency can compare their own data with data reported by like projects.

B. OCJP Decision-Making

1. OCJP conducts **Performance Management Reviews (PMR)** of each subrecipient contract annually. The performance review process consists of a detailed weighing system that provides a historical perspective of past and present subrecipient performance.
2. The PMR consists of the following criteria, based on a 100 point scale: (See [Appendix G](#))
 - (a) **Integrity of Program Design** – the logic model description of the program. **(15%)**
 - (b) **Reporting History** – compliance with output and outcome reporting requirements. **(15%)**
 - (c) **Program Performance** – considering compliance with victim and community/collaborator outcome measurement requirements; notification to OCJP of

pertinent changes; history of spending; program manual understanding and overall program effectiveness. (50%)

- (d) **Contract Monitoring** –ratings will examine program and fiscal findings. (20%)

3. OCJP will make funding/allocation decisions based on:

- (a) Performance Management Review Ratings
- (b) The funding priorities and requirements of the funding source
- (c) Ensuring that funds are allocated across the state in a defensible and equitable manner.

BYRNE/JAG FEDERAL LEGISLATIVE AUTHORITY

16.738 Byrne/JAG Formula Grant Program

AUTHORIZATION: Consolidated Appropriations Act, 2005, Public Law 108-447.

OBJECTIVES: To provide States and units of local government with funds to provide additional personnel, equipment, supplies, contractual support, training, technical assistance, and information systems for criminal justice.

USES AND USE RESTRICTIONS: Funds may be used to support law enforcement programs; prosecution and court programs; prevention and education programs; corrections and community corrections programs; drug treatment programs; and planning, evaluation, and technology improvement programs. Funds may not be used to supplant State and local funds.

FORMULA REQUIREMENTS: The JAG formula includes a State allocation consisting of a minimum base allocation with the remaining amount determined on a population and Part 1 violent crime statistics, and a direct allocation to units of local government. Once the State allocation is calculated, 60 percent of the funding is awarded to the State and 40 percent to the eligible units of local government. State allocations also have a mandatory "pass through" requirement to locals, calculated by the Bureau of Justice Statistics (BJS) from each State's crime expenditures.

ELIGIBILITY REQUIREMENTS:

Applicant Eligibility: All States, the District of Columbia, Guam, America Samoa, the Commonwealths of Puerto Rico, the Virgin Islands, and the Northern Mariana Islands. Units of local government are eligible consistent with established guidelines.

Beneficiary Eligibility: States, Territories, and units of local government

Credentials/Documentation: Each applicant must submit a completed application that meets the requirements specified in the program guidance. Costs will be determined in accordance with OMB Circular No. A-87 for State and local governments.



**OFFICE OF CRIMINAL JUSTICE PROGRAMS
BYRNE/JAG GRANT ANNUAL REPORT FORM**

Agency Name:

Grant Number:

Project Title:

Federal Purpose Area: **Federal Purpose Area #:**

Name Of Person Completing Report: **Phone #:**

How many years does this current contract fund: 1 2 3 4

Which year is being reported in this form: 1st 2nd 3rd 4th

Date Prepared: **Reporting Period July 1 through June 30, 20**

- 1) Summarize project goals identified in the “Project Goals” section of your project application narrative and briefly state, as of the date of this report, your progress in meeting each goal. Describe in detail these objectives/strategies undertaken to accomplish these goals.**
- 2) What activities were accomplished during this reporting period (i.e. services/interventions provided.)**
- 3) Describe project outputs or completion of tasks (Give numeric values to: clients served, individuals arrested, classes taught, etc.)**
- 4) Describe in detail the outcomes related to your project. What were the results/impact of the services being provided and how was this information collected. (Again there may be a numeric value given to this information collected and a description of how it was collected.)**

For projects in their 2nd, 3rd, or 4th year of implementation, please state progress toward attainment of goals proposed in the “Multi-Year Goals” or Outcomes section of your project application narrative as of the date of this report:

Please state your progress in evaluating the success of your project as summarized in the “Evaluation” section, of your project application narrative. Include any data collected or compiled or any information regarding the impact of project activities as of the date of this report:

Discuss progress made, as of the date of this report, toward the continuation of this project at the end of the grant period:

For Drug Task Forces Only

(This Page is N/A for all other Byrne/JAG subrecipients)

Drug Task Forces please report on the following. These are minimal reporting requirements of BJA and must be submitted in the Byrne/JAG Annual Report. All other activities and outputs that you may be collecting should be reported in other sections of the annual report.

1.) Number of Offenders Arrested: _____

2.) Number of Offenders Prosecuted: _____

3.) Drugs Seized:

DRUG	AMOUNT	VALUE
Cannabis (lbs.)		
Cocaine (oz)		
Crack (grams)		
Methamphetamine (grams)		
Prescription (number)		
Other Pills (number)		
Other Drugs		

4.) Number of Cannabis Plants Eradicated: _____. Street Value: _____.

5.) Number of Prescription Diversion Cases Worked: _____.

6.) Number of Methamphetamine Labs Shut Down: _____.



*Office of Criminal Justice Programs
Edward Byrne/JAG Grant Annual Report Form*

**INSTRUCTIONS
FOR COMPLETING
BYRNE/JAG ANNUAL
REPORT FORM**

The Edward Byrne/JAG Grant Annual Report Form is designed to obtain general information on projects funded under the Edward Byrne/JAG Memorial Grant. The Office of Criminal Justice Programs is the State Administrative Agency for Tennessee. The data collected will be used to assist our efforts in preparing the Byrne/JAG Annual Report for the Department of Justice and also provide OCJP with data for program and trend analysis.

Please print the required information in the spaces provided and complete only the information applicable to your specific grant.

Agency Name: Insert the name of the implementing agency as it appears on the cover page of attachment "A" of your contract.

Grant Number: Insert the grant number of this project as it appears on the front of your contract.

Project Title: Insert the title of this project as it appears on the cover page of attachment "A" of your contract.

Federal Purpose Area: Insert the name given to the federal purpose area for this project as it appears on the cover page of attachment "A" of your contract.

Federal Purpose Area #: Insert the federal purpose area number for this project as it appears on the cover page of attachment "A" of your contract.

Name Of Person Completing Report: Insert the name of the individual who actually prepares the report.

Phone #: Insert the phone number (including area code) of the person preparing this report.

How many years does the current contract fund: Insert the total number of years this project will be funded under the current contract.

Which year is being reported on: Indicate the year this report is being completed. Example: The third year of a four year grant should be marked 3rd.

Date Prepared: Insert the date the report was actually prepared.

Reporting Period July 1 through June 30, 20__ : Insert the year the reporting period

Byrne Jag Budget Revision

<http://www.state.tn.us/finance/rds/manuals.htm>

After web page opens please scroll to the bottom of the screen to locate the appropriate fund source and click **Byrne/JAG**.

For PRINTED VERSIONS you will need to type the above referenced web site address in your internet explorer address box. Click "Go". Then follow the instructions above this paragraph.

**The following sample
“Informant Payee Receipt”
is provided by OCJP for use by OCJP
subrecipients involved in the
administration of grants containing
confidential funds.**

Cash Receipts:

- a. The cashier shall receive from the agent or officer authorized to make a confidential payment a receipt for cash advancement to him/her for such purposes.
- b. The agent or officer shall receive from the informant a receipt for cash paid to him/her.

SAMPLE

Informant Payee Receipt

For and in consideration of the sale and delivery to the State, County, or City of _____ of information or evidence identified as follows:

_____. I hereby acknowledge receipt of \$ (numerical and word amount entered by payee) paid to me by the State, County, or City of _____.

Date: _____ Payee: _____
(Signature)

Case Agent/Officer: _____
(Signature)

Witness: _____
(Signature)

Case or Reference: _____

***CORE Outcome Indicators with Required Measures
and Data Collection Methods
for Byrne/JAG Victim Witness Agencies***

Click the link below to be taken to the CORE Outcome Indicators with Required Measures and Data Collection Methods.

<http://www.state.tn.us/finance/rds/coreout.pdf>

After arriving at the web page scroll down to the approximate center of the page. The surveys are listed by Outcome Measure. Click on the Victim/Witness Coordinator/Advocacy to see the survey then click print.

PRINTED VERSIONS will need to type the above referenced web site address in their internet explorer address box. Click “Go” and follow the instructions listed above.

CLIENT AND COMMUNITY/COLLABORATOR SURVEY

Click the link below to be taken to the Client Satisfaction Survey:

<http://www.state.tn.us/finance/rds/SampleSurveyInstruments5.pdf>

For PRINTED VERSIONS you will need to type the above referenced web site address in your internet explorer address box. Click “Go” and follow the instructions listed above.

VICTIM SERVICES CONTRACT PERFORMANCE REVIEW PROCESS

Click the link below to be taken to the Contract Performance Review Process

<http://www.state.tn.us/finance/rds/PMR.pdf>

After arriving at the web page scroll down to the approximate center of the page. The surveys are listed by Outcome Measure. Click on the appropriate name to see the survey then click print.

PRINTED VERSIONS will need to type the above referenced web site address in their internet explorer address box. Click "Go" and follow the instructions listed above.



**State of Tennessee
Office of Criminal Justice Programs
Byrne/JAG Victim Witness Projects**

Semi-Annual (Mid-Year and Year-End) Output Reports

Reporting Period **(Mid-year) July 1st through December 31st**
 (Year-end) January 1st through June 30th

Name of Reporting Person: _____
 Agency: _____
 Project Title: _____
 Current Z number: _____

The number of victims I served this reporting period.	
The number of victims I gave instruction to on how the criminal justice system works.	
Follow-up	
The number of victims I served for whom warrants will be filed.	
The number of victims I served for whom there will be a disposition to their cases.	
Restitution	
The number of victims I provided assistance to in obtaining restitution from their perpetrator.	
The number of victims I served that will receive restitution.	
Criminal Injuries Compensation Program	
The number of victims I provided assistance to in obtaining benefits from the Criminal Injuries Compensation Program.	
The number of victims I served that will receive benefits from the Criminal Injuries Compensation Program.	



**State of Tennessee
Office of Criminal Justice Programs
Byrne/JAG Victim Witness Projects**

Annual Output Projection Report

Name of Reporting Person: _____

Agency: _____

Project Title: _____

Current Z number: _____

The number of victims I served this reporting period.	
The number of victims I gave instruction to on how the criminal justice system works.	
Follow-up	
The number of victims I served for whom warrants will be filed.	
The number of victims I served for whom there will be a disposition to their cases.	
Restitution	
The number of victims I provided assistance to in obtaining restitution from their perpetrator.	
The number of victims I served that will receive restitution.	
Criminal Injuries Compensation Program	
The number of victims I provided assistance to in obtaining benefits from the Criminal Injuries Compensation Program.	
The number of victims I served that will receive benefits from the Criminal Injuries Compensation Program.	

RULES/GUIDELINES FOR OCJP – REQUIRED DATA COLLECTION

Click the link below to be taken to the Rules/Guidelines for OCJP – Required Data Collection:

www.state.tn.us/finance/rds/datacoll07.pdf

For PRINTED VERSIONS you will need to type the above referenced web site address in your internet explorer address box. Click “Go.”

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FAMILY VIOLENCE SHELTER & SHELTER SERVICES PROGRAM INTRODUCTION

The purpose of this guide is to give Family Violence Shelter and Shelter Services subrecipients a brief outline of the program and financial requirements/responsibilities involved with receiving federal Health and Human Services Grant funds and State Family Violence Shelter and Shelter Services allocations. This guide is not intended to replace more detailed technical assistance available from the OCJP Program Manager assigned to your project. Subrecipient staff are encouraged to address questions or concerns regarding the subject matter in this guide or other issues to your OCJP Program Manager.

Authorized through Public Chapter 930, the Family Violence Shelter and Shelter Services Program became effective July 1, 1984. This law allowed the Department of Human Services to establish a program providing shelter and shelter services to victims of family violence and their dependents. In 1986, the Department also received funds from the Department of Health and Human Services, Family Violence Prevention and Services Act (FVPSA). Both funding sources are used to fund family violence shelter and shelter services.

In July 1998 the Family Violence Shelter and Shelter Services Program was transferred to the Department of Finance and Administration, in the Office of Criminal Justice Programs, and was designated as the state agency responsible for administering this grant program. This consolidation was made to provide a more coordinated approach in planning and allocation of federal and state funds and to more efficiently manage services to victims in Tennessee.

OCJP grants awarded under the Family Violence Shelter and Shelter Services grant program are governed by the provisions of the Office of Management and Budget (OMB) circulars applicable to financial assistance. These circulars, along with additional information and guidance, are contained in the OCJP Administrative Guide for the Family Violence Shelter and Shelter Services Grant Program available from the Office of Criminal Justice Programs upon award of grant funds. This policy manual provides information on allowed costs, methods of payment, audit requirements, accounting systems and financial records.

This Guide incorporates by reference the provisions of the Office of Management and Budget (OMB) circulars and government-wide common rules applicable to grants and cooperative agreements. These circulars and common rules include the following:

NOTE: DHHS, Family Violence Prevention and Services Act (CFDA # 93.671)

Circulars and Common Rules

OMB CIRCULARS:	
Administrative Requirements:	
OMB Circular A-102	"Grants and Cooperative Agreements with State and Local governments," revised October 7, 1994
OMB Circular A-110	"Uniform Administrative Requirements for Grants and Agreements With Institutions of Higher Education, Hospitals and Other Non-Profit Organizations," November 19, 1993 (codified at 28 CFR Part 70).
Cost Principles:	
OMB Circular A-21	"Cost Principles for Educational Institutions," revised April 26, 1996 (codified at 28 CFR Part 66 by reference).
OMB Circular A-87	"Cost Principles for State, Local, and Indian Tribal Governments," revised May 4, 1995 (codified at 28 CFR Part 66, by reference).
OMB Circular A-122	"Cost Principles for Nonprofit Organizations" revised May 8, 1997 (codified at 28 CFR Part 66, by reference)
Audit Requirements:	
OMB Circular A-133	"Audits of State, Local Government and Nonprofit Institutions," revised June 30, 1997 (codified at CFR Part 66 & Part 70). http://www.whitehouse.gov/OMB/grants/index.html

GOVERNMENT-WIDE COMMON RULES:
<p>"Uniform Administrative Requirements for Grants and Cooperative Agreements with State and Local Units of Government," dated March 11, 1988 (codified at 28 CFR Part 66). (Grants Management Common Rule for State and Local Units of Governments)</p> <p>"Government-wide Debarment and Suspension (Nonprocurement) and Government-wide Requirements for Drug-free Workplace (Grants)"(codified at 28 CFR Part 67.)</p> <p>"New Restrictions on Lobbying" (Codified at 28 CFR Part 69).</p>

For additional information on grants management and to obtain copies of current circulars and common rules, please visit the OMB website at www.whitehouse.gov/OMB/grants/index.html.

Reference: U.S. Department of Justice, Office of Justice Programs, Office of the Comptroller, Financial Guide
Web Address: <http://www.ojp.usdoj.gov/finguide/>

Tennessee Comptroller of the Treasury, Division of Municipal Audit, Accounting and Financial Reporting for Not-For-Profit Recipients of Grant Funds in Tennessee
Web Address: <http://www.comptroller.state.tn.us/ma/finreptmanual.htm>

CHAPTER I ELIGIBLE SUBRECIPIENTS

A. PROGRAM REQUIREMENTS

Agencies applying for state and/or federal funding must meet the following criteria:

1. Agencies must be **local public and non-profit organizations (including faith-based and community organizations)**.
2. **Agencies must provide documentation** that they have provided shelter or shelter services for at least six (6) months prior to the application for funds, and that the funds provided will enable them to establish or maintain a shelter exclusively for victims of family violence within a defined timetable.
3. **Programs must comply with Family Violence Shelter Performance Standards [FVS Appendix H](#).**
4. Programs must comply with Chapter 21 of the Life Safety Code (Fire Standards) and with all other applicable health and safety codes.
5. Agencies must comply with Tennessee Code Annotated, Section 31-1-403 and 37-1-605 by reporting suspected cases of child abuse to the Department of Children's Services and with Tennessee Code Annotated 71-6-103 by reporting cases of adult abuse to the Department of Human Services as required by law.

B. Eligible Population

Any individual who fears imminent physical harm by threat of force and who customarily resides in a household with the perpetrator is eligible for service. The victim's dependent children are also eligible for services.

CHAPTER II FAMILY VIOLENCE PROGRAM PURPOSE & REQUIREMENTS

A. PROGRAM PURPOSE

The purpose of the Family Violence Shelter and Shelter Services Program is to assist nonprofit organizations and **faith-based organizations** in supporting the establishment, maintenance, and expansion of programs and projects to prevent incidents of family violence and to provide immediate shelter and related assistance for victims of family violence and their dependents.

1. **Client Record Documentation:** Performance Standards for Family Violence Shelter and Shelter Services are included as [FVS Appendix H](#). Client records must reflect the range of services provided to the victim including services provided to children, other dependents and the perpetrator. Client record documentation is defined in the Standards.

Information documenting victim eligibility must be on file.

A release of information is required when information is shared/obtained

Parent's Medical Release Form for child (ren) is required when applicable.

Client Grievance Procedure is required for all clients receiving direct services.

2. **Agency Documentation:** Performance Standards for Family Violence Shelter and Shelter Services requires agencies to provide twenty-four hour access to telephone crisis hotline and community education as core components. Documentation for these services may be maintained in a central record following these guidelines.
 - a. **Twenty-Four Hour Telephone Hotline:** Agencies should have a written plan showing how hotlines will be covered, describe the period of coverage for each responsible person and provide for backup coverage in the case of an emergency. In addition to the plan for telephone coverage, the agency must keep statistical records on the number of calls received.
 - b. **Community Education:** The central record should include documentation that explains how the educational activities were delivered. Documentation must identify date(s) and person(s) conducting training activities, topics covered, number of individuals who participated, types of materials disseminated, and persons referred for direct services. Any public speaking, media messages, or public awareness campaigns must be documented.

3. **Record Keeping:** The subrecipient must establish and maintain program records that ensure project activities are in compliance with the approved project narrative. Such records must be readily available for review.

B. PROGRAM PRIORITIES

The priorities of the Family Violence Shelter and Shelter Services grant are to meet the needs of victims by providing emergency shelter and related services to the victim and their families. Additionally meeting the needs of the underserved population, including populations underserved because of ethnic, racial, cultural, language diversity or geographical isolation is another priority for Family Violence Shelter and Shelter Services.

CHAPTER III FVS REPORTING REQUIREMENTS

All subrecipients are responsible for periodic reporting of output and outcome data on their projects to OCJP. Reporting requirements for Family Violence Shelter subrecipients include a [Mid-year Semi-Annual Output Report](#), [Mid-year Semi-Annual Outcome Report](#), [Year-end Semi-Annual Output and Year-end Semi-annual Outcome Reports](#), Policy 03 Quarterly Expense and Revenue Report, and Invoice for Reimbursement Reports. These reports are used to monitor projects, fulfill federal and grant reporting requirements, provide information for state strategies and implementation plans, and to assist OCJP in determining project success and funding allocations. An example of the Family Violence Reporting Form is provided in the [FVS Appendix B](#). Forms may be reproduced locally, but should maintain the original form and content.

NOTE: The FVS Reporting Form is to be used by the subrecipient as an internal tool for the collection and reporting of data to OCJP on the semi-annual and annual output reports. [Some minor changes have been made to the FVS Reporting Form due to additional data requested by the DHHS, Family Violence Prevention and Services Act \(FVPSA\)](#). The Report is not to be submitted to OCJP.

NOTE: The subrecipient is required to **collect and maintain statistical data relating to grant project activities as required by the Office of Criminal Justice Programs. The data collected should support the information submitted on both semi-annual reports. OCJP may periodically request to see back-up data that supports the information submitted on both your semi-annual output and outcome reports.**

The Project Director is responsible for timely submission of completed **program and fiscal** reports. **Note: Inability to submit required reports is considered failure of a required contract obligation.**

- A. **[Mid-year Semi-Annual Output Reporting:](#)** Project Directors will submit a completed FVS Semi-Annual Output Report on their FVS projects for the period **July 1st through December 31st**. Reports describe in output data progress for the first six months of the project period. This report will be available on our website at www.state.tn.us/finance/rds/ocjp.htm and should be submitted by January 31st.
- B. **[Year-end Semi-Annual Output Reporting:](#)** The second output reporting is required at the end of each contract year. **This Semi-Annual Output Report covers the period of January 1st through June 30th**. The **Semi-Annual Output Report** will be available on our website at www.state.tn.us/finance/rds/ocjp.htm and should be submitted to OCJP by July 31st.
- C. **[Mid-year Semi-Annual Outcome Reporting:](#)** Outcome reporting is required of all subrecipients at mid-year. The **Semi-annual Outcome Reports** covers the period **July 1st through December 31st**. Outcomes are benefits resulting for the participants from the

program activities. OCJP is interested in collecting project outcome data based on the “core outcomes” by project type. The Semi-Annual Outcome Report will be available on our website at www.state.tn.us/finance/rds/ocjp.htm and should be submitted to OCJP by January 31st. Core Outcome Indicators and Recommended Measures are included in [FVS Appendix E](#). The Domestic Violence Sample Client Satisfaction Survey is included in [FVS Appendix F](#). The Semi-annual Outcome report should be submitted to OCJP by January 31st.

- D. **Year-end Semi-Annual Outcome Reporting:** The second outcome reporting is required at the end of each contract year. **The Semi- Annual Outcome Report** covers the period of **January 1st through June 30th**. The **Semi-Annual Outcome Report** should be submitted to OCJP by July 31st.
- E. **Community and/or Collaboration Surveys** (as required based on your program type) cover the period **July 1st through June 30th**. The Community and Collaborator Survey Reports should be reported annually to OCJP by July 31st. See [FVS Appendix F](#)

NOTE: Subrecipient are not required to use client surveys to collect required **core outcome data**, but they are required to provide data addressing the core outcome indicators and measures for your specific project type, using a standard five-point scale (**Strongly Agree, to Strongly Disagree**) for all client feedback and satisfaction data. **Subrecipients should not change the substance of the core outcome measures.** Subrecipient agencies may also choose to use other available data sources to further validate and verify subrecipient data i.e. exit interviews, case notes, focus groups, staff observations, etc. **NOTE: Data based on staff observations should be submitted as supplemental and NOT included with client feedback data.**

Data may be collected on the required **satisfaction** measures separately from participant outcome data in order to assure confidentiality. If a separate process is used to collect data on the required satisfaction measures, that process must be separately described in the logic model project narrative. **See Appendix J, Rules/Guidelines for OCJP Required Data Collection.**

- F. **Projected Output Report:** Projecting outputs is a requirement of all subrecipients at the beginning of each contract year. Subrecipients are asked to project the number of outputs to be achieved during the upcoming contract year. Projected output reports should be submitted by July 31st for the upcoming contract period July – June. The data will assist OCJP in evaluating the planned versus actual activities funded through the grant.

FVS REPORTS

Name of Report	Dates Covered	Date Due	Person Sent To
1. Mid-year Semi-Annual Outcome Reporting	July 1 – December 31	January 31	Submitted as on-line report
2. Mid-year Semi-Annual Output Reporting	July 1 – December 31	January 31	Submitted as on-line report
3. Year-end Semi-Annual Outcome Reporting	January 1 – June 30	July 31	Submitted as on-line report
4. Year-end Semi-Annual Output Reporting	January 1 – June 30	July 31	Submitted as on-line report
5. Annual Output Projection Report	July 1- June 30	July 31	Submitted as on-line report
6. <u>Policy 03 Quarterly Expense and Revenue Report (Non-profit Agencies only)</u>	1st Quarter 2nd Quarter 3rd Quarter 4th Quarter	1st Quarter/10-15 2nd Quarter/1-15 3rd Quarter/4-15 4th Quarter/7-30	Janet Stewart Office of Criminal Justice Programs Department of Finance & Administration 312 8th Avenue North, Suite 1200 William R. Snodgrass Tennessee Tower Nashville, Tennessee 37243-1700 Janet.Stewart@state.tn.us
7. <u>Tennessee Department of Finance & Administration Invoice for Reimbursement</u>	Prior Month	Monthly	Office of Business & Finance Department of Finance & Administration 20th Floor Tennessee Tower 312 8th Avenue North William R. Snodgrass Tennessee Tower Nashville, Tennessee 37243 OCJP_INVOICE@state.tn.us
8. <u>Project Equipment Summary Report</u> –if applicable	Current fiscal year	30 days past the end of the State fiscal year (July 31)	Program Manager Office of Criminal Justice Programs 312 8th Avenue North, Suite 1200 William R. Snodgrass Tennessee Tower Nashville, Tennessee 37243-1700

CHAPTER IV FVS PUBLICATION

A. **Definition:**

Publication shall be construed as the initiation of the procurement of writing, editing, preparation of related illustration material, including videos, from subrecipients, or the internal printing requirements of the subrecipient necessary for compliance with the terms of the project. However, individuals are authorized to make or have made by any means available to them, without regard to the copyright of the journal, and without royalty a single copy of any such article for their own use.

B. **Upon Publication of Documents:** Project Directors are encouraged to make the results and accomplishments of their activities available to the public. A subrecipient who publicizes project activities and results shall adhere to the following:

1. Responsibility for the direction of the project should not be ascribed to the Department of Health and Human Services or the Tennessee Office of Criminal Justice Programs.
2. All reports, studies, notices, informational pamphlets, press releases, signs, and similar public notices (written, visual or sound) prepared and released by the Grantee shall include the statement, **“This project is funded under an agreement with the State of Tennessee, Department of Finance and Administration, Office of Criminal Justice Programs and is supported through funding awarded by the Department of Health and Human Services, DHHS.”** Additionally, studies and research/report type publications expressing the direction of project activity must **also** contain the following federal funding statement:

“The opinions, findings, conclusions or recommendations contained within this document are those of the author and do not necessarily reflect the views of the Department of Health and Human Services”.

In addition, statements, press releases, requests for proposals, bid solicitations and other documents describing projects or programs funded in whole or in part with Federal money, all grantees receiving Federal funds, including but not limited to State and local governments and recipients of Federal research grants, shall clearly state (1) the percentage of the total costs of the program or project which will be financed with Federal money, (2) the dollar amount of Federal funds for the project or program, and (3) percentage and dollar amount of the total costs of the project or program that will be financed by non-governmental sources.

3. A recipient/subrecipient is expected to publish or otherwise make widely available to the public, as requested by OCJP, the results of work conducted or produced under an award.

4. The subrecipient also agrees that one copy of any such publication will be submitted to the Office of Criminal Justice Programs of the Department of Finance and Administration to be placed on file and distributed as appropriate to other potential subrecipients or interested parties.
5. All publications and distribution agreements with a publisher will include provisions giving the Federal government a royalty-free, non-exclusive, and irrevocable license to reproduce, publish, or otherwise use and to authorize others to use for Federal government purposes. (Refer to Copyrights section of Chapter 6 of the U.S. Department of Justice, Office of Justice Programs, Office of the Comptroller, Financial Guide.)
6. Unless otherwise specified in the award, the subrecipient may copyright any books, publications, films, or other copyrightable material developed or purchased as a result of award activities. Copyrighted material shall be subject to the same provisions of the federal government.
7. The subrecipient shall submit a publication and distribution plan to the OCJP before materials developed under an award are commercially published or distributed. The plan shall include a description of the materials, the rationale for commercial publication and distribution, the criteria to be used in the selection of a publisher, and, to assure reasonable competition, the identification of firms that will be approached. Prior OCJP approval of this plan is required for publishing project activities and results when Federal funds are used to pay for the publication.

CHAPTER V

FVS PERFORMANCE MEASUREMENT & DECISION MAKING

A. Performance Measurement

1. The Office of Criminal Justice Programs, like all funders, wants to be a responsible steward of limited federal and state grant money. To accomplish this goal, OCJP works to assure that grants are awarded to agencies that can demonstrate they make a difference for clients. We have continually worked with our subrecipient agencies to provide them with the tools and experience they need to manage their operations and to demonstrate their accountability. *We recognize that the combination of output, outcome and satisfaction data comprise a best picture possible of an agency's performance.*
2. OCJP is interested in subrecipient agencies improving performance as well as quantifying their effort. It has been demonstrated that agencies that want to survive and flourish must make significant efforts to continually improve performance and to be able to prove it with verifiable measurements.
3. Although output data is important and will continue to be collected, used and submitted to our federal funders, outcome data has provided us with additional information related to the results of agency efforts on the clients the OCJP/subrecipient partnership serves. Outcome information describes some change in the participant's condition and establishes the benefits of the funding in measurable terms.
4. We recognize that there are basically three reasons for attending to client outcomes:
 - (a) **To Improve Program Performance** - Agencies exist to help clients find better lives. Agencies want clients safer, more informed, aware of their options and exercising better judgment. Subrecipient agencies need solid information about how well their clients are doing in order to continue improving the quality of their programs.
 - (b) OCJP and other funding sources must be in a position to make funding decisions:
 - When funds are available, funding agencies need information on results to decide which service models to support.

- When funds are limited, funding agencies must be able to direct limited resources toward approaches known to work.

(c) **To Meet Federal Reporting Requirements.**

5. Performance data can be used to monitor and measure individual program performance or aggregated by project type, the state and/or fund source.
6. OCJP will continue to expect programs to use the logic model to describe how their grant-funded project theoretically works to benefit the target group. OCJP will also continue to collect and use **output** and outcome information as we manage our federal grants.
7. The data collected and reported by Tennessee subrecipients answer three questions:
 - OUTPUTS** - What are we doing?
 - SATISFACTION** - How well are we doing it
 - OUTCOMES** - How is the client doing?
8. OCJP does not collect information with which to compare one program or project with another. However OCJP publishes data on our website by which any agency can compare their own data with data reported by like projects.

B. OCJP Decision-Making

1. OCJP conducts **Performance Management Reviews (PMR)** of each subrecipient contract annually. The performance review process consists of a detailed weighing system that provides a historical perspective of past and present subrecipient performance.
2. The PMR consists of the following criteria, based on a 100 point scale: (See [FVS Appendix G](#))
 - (a) **Integrity of Program Design** – the logic model description of the program. **(15%)**
 - (b) **Reporting History** – compliance with output and outcome reporting requirements. **(15%)**
 - (c) **Program Performance** – considering compliance with victim and community/collaborator outcome measurement requirements; notification to OCJP of pertinent changes; history of spending; program manual understanding and overall program effectiveness. **(50%)**
 - (d) **Contract Monitoring** – ratings will examine program and fiscal findings. **(20%)**

3. OCJP will make funding/allocation decisions based on:
 - (a) Performance Management Review Ratings
 - (b) The funding priorities and requirements of the funding source
 - (c) Ensuring that funds are allocated across the state in a defensible and equitable manner.

FEDERAL LEGISLATIVE AUTHORITY

93.671 FAMILY VIOLENCE PREVENTION and SERVICES ACT

AUTHORIZATION: Title III of the Child Abuse Amendments of 1984 (Pub. L. 98-457, 42 U.S.C. 10401 et seq.) is entitled the “Family Violence Prevention and Services Act” (the Act). The Act was first implemented in FY 1986, reauthorized and amended in 1992 by Pub. L. 102-295, in 1994 by Pub. L. 103-322, the Violent Crime Control and Law Enforcement Act, in 1996 by Pub. L. 104-235, the Child Abuse Prevention and Treatment Act (CAPTA) of 1996, the Victims of Trafficking and Violence Protection Act, Pub. L. 106-386, in 2000. The Act was most recently amended by the Keeping Children and Families Safe Act of 2003. Pub. L. 108-36.

OBJECTIVE: The purpose of this legislation is to assist States and Native American Tribes, Alaskan Villages and Tribal organizations in supporting the establishment, maintenance, and expansion of programs and projects to prevent incidents of family violence and to provide immediate shelter and related assistance for victims of family violence and their dependents.

In addition, the Department supports the National Resource Center for Domestic Violence (NRC) and four Special Issue Resource Centers (SIRCs). The SIRCs are the Battered Women’s Justice Project; the Resource Center on Child Custody and Protection, Sacred Circle Resource Center for the Elimination of Domestic Violence Against Native Women and the Health Resource Center on Domestic Violence. The purpose of the NRC and the SIRCs is to provide resource information, training, and technical assistance to Federal, State, and Native American agencies, local domestic violence prevention programs, and other professionals who provide services to victims of domestic violence.

In February 1996, the Department funded the National Domestic Violence Hotline (NDVH) to ensure that every woman has access to information and emergency assistance wherever and whenever she needs it. The NDVH is a 24-hour, toll-free service, which provided crisis assistance, counseling, and local shelter referrals to women across the country. Hotline counselors also are available for non-English speaking persons and for people who are hearing-impaired. **The Hotline number is 1-800-799-SAFE; the TDD number for the hearing impaired is 1-800-787-3224.** As of August 31, 2003 the National Domestic Violence Hotline had answered over 1 million calls.

GENERAL GRANT REQUIREMENTS: States should use the following definitions in carrying out their programs. The definitions are found in Section 320 of the Act.

- (1) **Family Violence:** Any act or threatened act of violence, including any forceful detention of an individual, which (a) results or threatens to result in physical injury and (b) is committed by a person against another individual (including an elderly person) to whom such person is or was related by blood or marriage or otherwise legally related or with whom such person is or was lawfully residing.
- (2) **Shelter:** The provision of temporary refuge and related assistance in compliance with applicable State law and regulation governing the provision, on a regular basis, which includes shelter, safe homes, meals, and related assistance to victims of family violence and their dependents.

- (3) Related assistance: The provision of direct assistance to victims of family violence and their dependents for the purpose of preventing further violence, helping such victims to gain access to civil and criminal courts and other community services, facilitating the efforts of such victims to make decisions concerning their lives in the interest of safety, and assisting such victims in healing from the effects of the violence. Related assistance includes:
- (a) Prevention services such as outreach and prevention services for victims and their children, assistance for children who witness domestic violence, employment training, parenting and other educational services for victims and their children, preventive health services within domestic violence programs (including nutrition, disease prevention, exercise, and prevention of substance abuse), domestic violence prevention programs for school age children, family violence public awareness campaigns, and violence prevention counseling services to abusers;
 - (b) Counseling with respect to family violence, counseling or other supportive services by peers, individually or in groups, and referral to community social services;
 - (c) Transportation and technical assistance with respect to obtaining financial assistance under Federal and State programs, and referrals for appropriate health-care services (including alcohol and drug abuse treatment), but shall not include reimbursement for any health-care services;
 - (d) Legal advocacy to provide victims with information and assistance through the civil and criminal courts, and legal assistance; or
 - (e) Children’s counseling and support services, and child care services for children who are victims of family violence or the dependents of such victims, and children who witness domestic violence.

FORMULA FOR STATE ALLOCATION: The Secretary is required to make available not less than 70 percent of amounts appropriated under Section 310(a) for grants to States. Family Violence grants to the States, the District of Columbia, and the Commonwealth of Puerto Rico are based on a population formula. Each State grant shall be \$600,000 with the remaining funds allotted to each State on the same ratio as the population of the State has to the population of all states.

For the purpose of computing allotments, the statute provides that Guam, American Samoa, the Virgin Islands, and the Northern Mariana Islands will each receive grants of not less than one-eighth of 1 percent of the amounts appropriated.

ELIGIBILITY REQUIREMENTS:

Applicant Eligibility: “States” as defined in Section 320 of the Act are eligible to apply for funds. The term “State” means each of the several states, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, the Commonwealth of the Northern Mariana Islands.

Credentials/Documentation: Applications from the designated State agency for this program must be submitted at a time specified by the Administration for Children and Families, Department of Health and Human Services. The State grant applicant, by completing the grant application, and by receiving a FVPSA grant award, certifies:

- (1) That grant funds under this Act will be distributed to local public agencies and non-profit private organizations (including religious and charitable organizations and voluntary associations) for programs and projects within the State to prevent incidents of family violence and to provide immediate shelter and related assistance for victims of family violence and their dependents in order to prevent future violent incidents (section 303(a)(2)(A)).
- (2) That not less than 70 percent of the funds distributed shall be used for immediate shelter and related assistance, as defined in section 320(5)(A), to the victims of family violence and their dependents and not less than 25 percent of the funds distributed shall be used to provide related assistance (section 303(g)).
- (3) That not more than 5 percent of the funds will be used for State administrative costs (section 303(a)(2)(B)(i)).
- (4) That in distributing the funds, the States will give special emphasis to the support of community-based projects of demonstrated effectiveness carried out by non-profit private organizations, particularly those projects the primary purpose of which is to operate shelters for victims of family violence and their dependents and those which provide counseling, advocacy, and self-help services to victims and their children (section 303(a)(2)(B)(ii)).
- (5) That grants funded by the States will meet the matching requirements in section 303(f), i.e., not less than 20 percent of the total funds provided for a project under this title with respect to an existing program, and with respect to an entity intending to operate a new program under this title, not less than 35 percent. The local share will be cash or in-kind; and the local share will not include any Federal funds provided under any authority other than this Title (section 303(f)).
- (6) That grant funds made available under this program by the State will not be used as direct payment to any victim or dependent of a victim of family violence (section 303(d)).
- (7) That no income eligibility standard will be imposed on individuals receiving assistance or services supported with funds appropriated to carry out this Act (section 303(e)).
- (8) That the address or location of any shelter-facility assisted under the Act will not be made public, except with the written authorization of the person or persons responsible for the operation of such shelter (section 303(a)(2)(E)).
- (9) That all grants made by the State under the Act will prohibit discrimination on the basis of age, handicap, sex, race, color, national origin or religion (section 307).

- (10) That funds made available under the FVPSA be used to supplement and not supplant other Federal, State, and local public funds expended to provide services and activities that promote the purposes of the FVPSA (section 303(a)(4)).
- (11) That States will comply with the applicable Departmental recordkeeping and reporting requirements and general requirements for the administration of grants under 45 CFR Part 92.

OFFICE OF CRIMINAL JUSTICE PROGRAMS
FAMILY VIOLENCE SEMI-ANNUAL REPORTING FORM

Agency Name _____
Reporting Period: (check the appropriate 6 month period)

- (Mid-year) July – December
 (Year-end) January – June

I. Clients

This section relates to the contracted number of clients. It includes clients, both adults and children, who receive shelter, counseling, referrals, specific individual advocacy and transportation. It also includes unduplicated clients who call the crisis hotline.

Clients reported here should be unduplicated in that a client who receives more than one of the above services in the same reporting month should only be reported as one client for that period.

A. Number of New Clients

Report clients who received service for the first time during this fiscal year (July 1- June 30) reporting period.

Adult Females _____ Adult Males _____ Children (ages 0 - 17) _____

Total _____

II. Hotline Calls

A. Report the number of hotline calls received during the reporting period from people needing assistance. This can include duplicate calls from the same client. Do not count calls to or from agencies.

Total _____

B. Number of Information and Referral Calls

Report the number of all incoming calls other than crisis calls. This can include calls requesting community presentations, support groups and calls from other agencies.

Total _____

III. Counseling

A. Report the number of **clients**victims who have received the following services this reporting period:

Adults receiving Individual Counseling hours _____

Adults receiving Individual Counseling (not hours) _____

Adults receiving Group Counseling _____

Adults receiving Group Counseling (not hours) _____

Children receiving Individual Counseling hours _____

Children receiving Individual Counseling (not hours) _____

Children receiving Group Counseling _____

Children receiving Group Counseling (not hours) _____

IV. **Shelter**

- A. Report the number of **women**, children, and **men** housed in shelter, safe homes and/or motels for this reporting period. If a client comes in shelter with the intent of being sheltered, they can be counted even if they later decide to leave.

Number of women sheltered _____ **(ages 18-54)**

Number of children sheltered _____

Number of men sheltered _____ **(ages 18-54)**

Number of elderly (55+ years) _____ **Women** _____ **Men** _____

Number of bed nights _____

Average length of stay _____

- B. Unable to Shelter

Report the number of **women, children, and men turned away because shelter was unavailable** (e.g. homeless, denied admission due to shelter policy).

Number of women _____

Number of children _____

Number of men _____

- C. Referred to Other Shelters Due to Lack of Space

Report the number of **women, children, and men that were referred to other shelters due to lack of space**.

Number of women _____

Number of children _____

Number of men _____

- D. Report the number of **women, children, and men** returning to shelter who had received shelter during this fiscal year (July 1- June 30).

Women returning _____

Children returning _____

Men returning _____

- E. Report the number of elderly (55 +) provided non-shelter services during this reporting period.**

Women _____

Men _____

V. **Systems Advocacy**

A. Report the number of contacts made on behalf of the client and/or her dependent (s).

	In Shelter		Non-Shelter
Court Advocacy	_____		_____
Social Service Advocacy	_____		_____
Law Enforcement	_____		_____
Civil Protection Orders	_____	Requested	_____ Requested
Civil Protection Orders	_____	Granted	_____ Granted

VI. **Community Education/Media Activities**

A. Report the number of presentations or inquiries from the public or media.

Community Education Presentations _____
Media (television, radio, newspaper) _____

VII. **Transportation**

A. Report the number of clients transported by staff or volunteers; also report the number of clients receiving taxi and/or bus fares from the agency.

Staff	_____	Volunteers	_____
Taxi	_____	Bus	_____

VIII. **Volunteers**

A. Report the number of volunteers and hours of service provided by volunteers.

Number of Volunteers _____ (Unduplicated)
Number of Volunteer Hours _____

IX. **Training Provided by Staff**

A. Identify the topic of training session and the total number of attendees. (Does not include training provided to shelter staff)

_____.

Total number attended _____

X. **Related Problems**

A. How many women experienced the following types of abuse?

Physical	_____
Psychological	_____
Sexual	_____

B. How many children were abused?

Physical _____
 Psychological _____
 Sexual _____

C. **How many referrals were made by your agency for victims/children/batterers requesting the following counseling or intervention services during this reporting period?**

	Victim	Child	Batterer
Alcohol abuse	_____	_____	_____
Drug abuse	_____	_____	_____
Batterer intervention services	_____	_____	_____
Witnessed abuse	_____	_____	_____
Emergency medical intervention	_____	_____	_____
Law enforcement intervention	_____	_____	_____

D. Of the clients/victims provided service during this reporting period, how many?

	In Shelter	Non-Shelter
Returned to their previous situations	_____	_____
Moved to new living arrangements	_____	_____
Unknown disposition	_____	_____
Went to court?	_____	_____
Resulted in:		
Criminal convictions	_____	_____
Civil resolutions	_____	_____

XI. **Clients Served**

A. Race or National Origin # Served

African American _____
 European American _____
 Hispanic _____
 Asian or Pacific Islander _____
 Native American or Alaskan Native _____
Language (other than English) _____
 Unknown _____

B. Ages Female Male

12 or under _____
 13 -17 _____
 18 - 25 _____
 26 - 40 _____
 41 **to 54** _____
55 + _____
 Unknown _____

C. Handicap _____

**Family Violence Shelter Services
Reporting for Batterers Program
Semi-Annual Reporting Form**

1. Report the number of clients served: _____

2. Type of Service

Counseling _____ Referral _____ Other _____

3. Race or National Origin

European American	_____	African American	_____
Hispanic	_____	Asian or Pacific Islander	_____
American Indian or Alaskan Native	_____	Unknown	_____

4. Ages

18 – 29	_____
30 – 44	_____
45 – 64	_____
65 +	_____
Unknown	_____

**Family Violence Shelter Services
Reporting of Suspected Abuse Cases
Semi-Annual Reporting Form**

1. Report the number of suspected child abuse reports referred to the Department of Children's Services for this reporting period.

2. Of the number of cases reported, how many children were involved? _____

3. Report the number of adult protective service cases referred to the Department of Human Services for investigation.

Completed by _____ Date _____

FVS

BUDGET REVISION REQUEST

<http://www.state.tn.us/finance/rds/manuals.htm>

After web page opens please scroll to the bottom of the screen to locate the appropriate fund source and click **FVS**.

For PRINTED VERSIONS you will need to type the above referenced web site address in your internet explorer address box. Click “Go”. Then follow the instructions above this paragraph.

PROGRAM LOGIC MODEL

Click the link below to be taken to the logic model:

<http://www.state.tn.us/finance/rds/logicmodel.pdf>

For PRINTED VERSIONS you will need to type the above referenced web site address in your internet explorer address box. Click “Go”.

CORE OUTCOME INDICATORS AND MEASURES

Click the link below to be taken to the Core Outcome Indicators and Measures:

<http://www.state.tn.us/finance/rds/coreout.pdf>

For PRINTED VERSIONS you will need to type the above referenced web site address in your internet explorer address box.. Click “Go”.

SAMPLE VICTIM/COMMUNITY/COLLABORATOR SURVEYS

Click the link below to be taken to the Victims Services Surveys:

<http://www.state.tn.us/finance/rds/victimshomepage.htm>

After arriving at the web page scroll down to the approximate center of the page. The surveys are listed by Outcome Measure. Click on the appropriate name to see the survey then click print.

For PRINTED VERSIONS you will need to type the above referenced web site address in your internet explorer address box.. Click “Go” and follow the instructions listed above.

VICTIMS SERVICES CONTRACT PERFORMANCE REVIEW PROCESS

Click the link below to be taken to the Performance Review Process:

<http://www.state.tn.us/finance/rds/PMR.pdf>

For PRINTED VERSIONS you will need to type the above referenced web site address in your internet explorer address box. Click “Go.

FAMILY VIOLENCE SHELTER PERFORMANCE STANDARDS

I. Introduction

National attention continues to be focused on the issue of family violence. Violence at home has truly become an epidemic in this country. Statistics have indicated that domestic violence is the single greatest cause of injury to women. Husbands and partners batter at least four million women every year. The impact of such family violence and intimate violence include physical injury and death of primary or secondary victims, psychological trauma, isolation from family and friends, harm to children witnessing or experiencing violence in homes in which the violence occurs, increased fear, reduced mobility and employability homelessness, substance abuse, and a multitude of other health and related mental health consequences. The perpetuating cycle of violence is evident when we see that victims of abuse frequently become abusers themselves.

Less than two decades ago, few states had any laws aimed at reduction or preventing violence between family and household members. During the last eighteen years, numerous states have passed legislation of family violence. Tennessee was one of those states whose legislation created funding for shelters and other services for violent families. Tennessee's legislation recognized family violence as a critical social issue which can affect individuals in all types of relationships. However, the legislation limits the use of the specified State dollars to certain "eligible" individuals.

In July 1998, the Tennessee Department of Finance and Administration, Office of Criminal Justice Programs was designated the single state agency to administer the family violence programs funded with State monies under Public Chapter 930, Acts of 1984 and for administering the Federal funds under the Family Violence Prevention and Services Act. The Department of Human Services had previously administered these funds and had convened a subcommittee of the Family Violence and Child Abuse Prevention Advisory Committee to develop performance standards for family violence shelters and shelter services which provided funding from this legislation.

II. Purpose of Performance Standards

These performance standards developed for family violence shelters and shelter services are stated as minimum requirements to be addressed in order to receive funding from State and Federal family violence sources. Services provided through other funding sources or to individuals deemed ineligible under State or Federal guidelines are not subject to these performance standards.

These performance standards:

- a. Provide a frame work within which family violence shelters can develop a safe, secure environment for residents and within which quality shelter services can be organized, delivered and evaluated;
- b. Define and describe the components of the service, and

- c. Delineate requirements which must be met during the service delivery process.

These standards will become part of the contract of each agency which provides family violence shelter and shelter services. Each agency must meet all of the requirements established by the standards in order to be in full contractual compliance.

III. **Eligibility for Family Violence Shelter and/or Shelter Services**

For the purpose of this Chapter, family or household members mean individuals who customarily reside in a household and who are in need of temporary shelter because their lives or welfare are in danger.

Eligibility for services are:

- a. To receive shelter and/or shelter services, the individual (victim) should customarily reside in a household with the perpetrator.
- b. An eligible individual is one who is in need of temporary shelter, and upon whom the perpetrator has caused or attempted to cause bodily injury or has established fear of imminent, physical harm by threat or action or has put at risk the individual's welfare.
- c. Individuals may be deemed eligible for services if they are adults eighteen years of age or older or emancipated minors, regardless of sex, mental functioning, or handicap.
- d. Children or dependents of the eligible individual are eligible for equivalent family violence shelter or shelter services (*) regardless of sex, age, mental functioning or handicap. (*) Equivalent Services can be construed to mean referral to more appropriate agencies.

IV. **Program Requirements**

Family violence programs funded with State monies under Public Chapter 930 shall include, at minimum, a family violence shelter as defined below and a series of shelter services considered vital to the needs of the victim, children and dependents. Shelter services shall be available to eligible individuals whether or not residency in a shelter is required. Shelter services may be provided within a shelter facility and/or outside a shelter facility. The eight core services required of all programs consist of shelter, hotline, referral services, counseling for family violence victims, advocacy for family violence victims, transportation arrangements, follow-up, and community education.

- a. **Family Violence Shelters (Definition)**

A place where only family violence victims, their children and dependents can seek temporary refuge twenty-four hours a day, seven (7) days a week, 365 days a year. This definition includes a program which operates a shelter, or which develops and manages a system under which safe homes or commercial lodgings are used as a refuge for family violence victims, their children and dependents. Commercial lodging is the least acceptable residential service to be provided.

Standards, which apply to safe homes and commercial lodging, are outlined in Section 3 and 4. Shelter facilities must have confidential locations and be located in separate facilities that exclusively serve family violence victims and their dependents. Eligible programs must have some form of shelter at the time of application with definite plans of opening a facility with a confidential location.

b. Physical Plant (Shelter)

- (1) The Department shall review shelter programs to determine compliance with certain requirements pertaining to fire, health and safety. Compliance with the requirements of Chapter 21 of the Life Safety Code (Fire Standards), provided herein, however, shall not relieve the agency from the legal responsibility of complying with all other applicable health and safety codes and standards. The Department of Finance and Administrations' program evaluators will monitor the following requirements.
 - i. No lead paint or peeling paints in the shelter or on shelter walls, furniture, cabinets, doors, windows, stairs, and porches; and
 - ii. All hazardous materials must be safely secured and stored away from the reach of children.
 - iii. All electrical outlets not in use must contain child proof plugs.
- (2) A shelter program shall have arrangements for the provision of food. In a shelter, this includes access to cooking facilities, refrigeration and utensils or equipment.
- (3) A shelter program shall have bathing, lavatory and toilet facilities available on the premises. The shelter program will provide access to laundry facilities.
- (4) A shelter program shall have sleeping beds available for each person in residence. Cribs or playpens shall be available for infants and toddlers.
- (5) A shelter program shall provide a centrally located secure storage for medications belonging to residents.
- (6) A shelter program shall provide residents access to telephone communications.
- (7) A shelter program shall provide that all external entrances or exits, to include doors, windows, skylights, cellars, etc., are securable.
- (8) A shelter program shall provide access to supplies for personal hygiene of all residents.
- (9) A shelter program shall provide a reasonably safe and comfortable environment in which to reside, which includes heat, ventilation, and

cleanliness. A shelter must have adequate heating/cooling equipment to be comfortable whenever necessary. A shelter must have carbon monoxide detectors installed and centrally located, if gas appliances are used.

- (10) A shelter program shall prohibit possession and use of weapons, alcohol or illegal drugs on its premise.
- (11) A shelter program shall have a secure play space for children and appropriate play equipment.

c. Program (Shelter, Safe Home, Commercial Lodging)

- (1) A shelter program shall provide all residents of their facility an orientation to the premises. This orientation will also include an explanation of facility rules, rights and responsibilities of the residents and the operating procedure of the facility.
- (2) A shelter program shall have staff on the premise 24 hours or written policy which establishes immediate access to staff or trained volunteers. This access shall be available to residents in shelters, safehomes or commercial lodging. This policy must be made available to all residents.
- (3) A shelter program shall have a written plan for fire/tornado evacuation. Evacuation plans must be posted; and reviewed during orientation. Fire and tornado drills must be held periodically.
- (4) A shelter program shall have a written policy concerning the security of resident's belongings.
- (5) A shelter program shall have written policy which provides for the security and confidentiality of residents' location. This policy must include procedures regarding intruders or trespassers, contact with local law enforcement, and access to staff or the designated person, twenty-four hours a day.
- (6) A shelter program shall provide access to a telephone and have written policy for utilization of the telephone by residents.
- (7) A shelter program shall have written policy and procedure for emergency medical needs and routine medical needs of shelter residents.
- (8) A shelter program shall have services for child residents which includes:
 - i. Staff or volunteers trained to meet needs of children.
 - ii. Provision of counseling and/or advocacy for children.
 - iii. Provisions for adequate and secure indoor play space and recreational activities. Outdoor space, where available, should be adequate and secure.

- iv. Age appropriate intervention activities based on needs of the individual child.
- v. Written policy concerning educational plan for children in the shelter.
- vi. Written policy concerning non-violent discipline to be practiced by staff and residents alike.
- vii. Written policy regarding child care.
- viii. Written policy and procedure regarding reporting of child abuse to the Department of Children's Services.
- ix. Written policies regarding the rights and responsibilities of children and an orientation of these children where age appropriate to these rights and responsibilities.

d. Safe Homes/Commercial Lodging

Eligibility standards described in Section 3 apply to shelter, safe homes, and commercial lodgings as residential services. Additional standards specifically for safe homes and commercial lodging includes:

- (1) The shelter program shall have a written process for the selection and continued evaluation of safe homes.
- (2) The shelter program shall provide adequate and appropriate training for safe home providers.
- (3) Safe home providers shall have a written statement of the rights and responsibilities provided by the shelter program.
- (4) Safe homes should provide sleeping privacy for guests and access to bathing and laundry facilities, food and telephone access.
- (5) The shelter program will assure that residents of a safe home system or commercial lodging have equal access to all the core services including daily contact by staff or trained volunteer.
- (6) As noted, commercial lodging is available for use by shelter programs. However, commercial lodging is the least preferable type of residential service. Programs are encouraged to develop a safe home network system or ideally a separate helter facility to assure quality service delivery. Programs must at least have definable plans for the opening of a separate shelter facility with a confidential location.

e. Shelter Services (Definition)

- (1) Activities which are provided to eligible victims of family violence, their children and dependents as part of an organized program which may or may

not include residential services through a family violence shelter. The program of shelter services should be organized to include all of the described core services which are basic to the needs of the victims, their children and dependents.

f. Core Services

- (1) Twenty-four Hour Access To Telephone Crisis-Hotline - This service may be a contracted service; may be operated directly by staff or trained volunteer; or may be on a call forwarding system if available. Answering machines may not be used, except in localities where call forwarding is not available. Then, the answering machine may be used only for restricted periods of time, up to a maximum of one hour per usage. The immediate return of calls received on an answering machine or through the contracted service is required.
- (2) Referral - Appropriate linkage and access to community resources to meet the needs of the victims or their children or dependents. These linkages may include community services such as medical, legal, judicial, mental health, educational, housing, employment, financial and in-kind assistance, social, alcohol and drug rehabilitation and protective services for adults and children.

Individuals who are eligible for shelter or shelter services but who cannot be served in a program, shall receive referral services to a more appropriate program.

- (3) Counseling for Family Violence Victims. This service may be provided on the telephone, or on an individual or group basis by the staff of the program or trained volunteers. This service shall be provided to the victim. Children, dependents and significant family or support individuals may receive counseling on behalf of the victim. This service contrasts to therapy provided through a mental health service which is not a core service for intervention with victims of family violence. Individuals who require therapy in addition to counseling as part of their plan of service shall be referred to mental health services within the community.

The following types of counseling shall be available:

- i. Crisis intervention.
- ii. Support counseling.
- iii. Information sharing on domestic violence dynamics and other related issues.
- iv. Individual planning to include assessment, goal and resource development, and evaluation.
- v. Safety planning.

- (4) Advocacy for Family Violence Victims. Advocacy for family violence victims shall occur at two levels in order to assure impact on the needs of the victim, children and dependents.

Individual advocacy may include the following types of activities:

- i. Preparation in using other community resources.
- ii. Identification of significant individuals to contact.
- iii. Establishing linkage with community resources.
- iv. Facilitating provisions of services.
- v. Providing accompaniment and support to the victim.

Systems advocacy includes intervention with such organizations as medical, legal, judicial, educational, financial, social, mental health, transportation, law enforcement, religious, housing and employment. Advocacy activities within these organizations may include:

- i. Establishing and maintaining linkage with community agencies and individuals.
- ii. Training community agencies.
- iii. Participating in appropriate professional organization and community services network.

- (5) Transportation Arrangements

This service may be provided by the most appropriate means for the area.

Transportation arrangements may be provided by staff or volunteers in personal vehicles or commercial vehicles such as bus or cab, or by local law enforcement officials, or human service agency representatives.

Transportation arrangements may be needed for the removal of the victim and dependents from the situation, transportation to the shelter or a safe place, for vital services and/or attainment of necessary community services. The client is encouraged to provide or arrange for transportation services when possible.

- (6) Follow-up

Follow-up service is specifically designed for individuals who have been residents of a shelter, safe home or commercial lodging. Follow-up services may include any of the core services to assist in stabilizing the victim's circumstances. Continued involvement of the program, type of follow-up service, and length of time available shall be determined by the client wherever possible or appropriate. Programs, whose follow-up service is formalized for research or data purposes, must respect the

victim's safety and confidentiality. Recontact for any purpose may be conducted only with the victim's written prior approval.

(7) Community Education

This service shall be provided by staff or trained volunteers through public awareness campaigns, public speaking, training activities and media messages with the following objectives in mind:

- i. Informing the community of the services available.
- ii. Educating the community or specific groups on the issues of family violence.

g. Non-Core Services

(1) Counseling for Perpetrators

The primary focus of program services is to meet the needs of victims of family violence, their children or dependents. However, the law allows for the provision of services to the perpetrator. Programs may elect to provide services which target the perpetrator's needs only after all core services for the victims and their children and dependents are fully developed.

A shelter program may operate their own perpetrator's program or may contract with an independent perpetrator program in the community. Program staff time may be used for the training of providers, referrals, court liaison work, and follow-up.

Shelter programs which provide direct services to perpetrators or have staff linkage to perpetrator programs shall:

- i. Operate with a philosophical base which recognizes battering as a crime, and as a responsibility of the perpetrator; which acknowledges battering as a complex issue which involves power struggles wherein one individual or group uses violence to exert control over another; which recognizes that battering has been condoned and perpetuated by systems of discrimination in our society.
- ii. Maintain separate advisory committees for the perpetrator program and the victim program.
- iii. Allow court mandated or voluntary program designs. A court mandated design shall maintain clearly enforceable consequences for non-compliance by the perpetrator.
- iv. Operate the perpetrator program in a separate location from that which serves the victim, their children and/or dependents.

- v. Maintain direct contact with the victim's shelter program to ensure the continued safety of the victim, child and dependent.
- vi. Assure the right of confidentiality of and between the perpetrator and victim.
- vii. Assure that the provision of services to either the victim or the perpetrator is not conditional or contingent upon participation of either in the other's service plan.

V. Program Administration

- a. The program shall have a written non-discrimination policy with regard to sex, race, religion, sexual preference, national origin, disability, age, or marital status in administering the program of services.
- b. Each program shall have written rules, regulations and rights which are given to shelter residents and available to non-residents as appropriate as part of the intake process. These should include:
 - (1) An explanation of services available.
 - (2) House rules, as appropriate.
 - (3) Confidentiality.
 - (4) Reasons and process for termination from the program.
 - (5) Program length of stay, availability of extension, and the process for re-entry to the program.
 - (6) Policy and procedures for child abuse reporting; and adult abuse reporting.
 - (7) Grievance procedures.
- c. Termination of Shelter/Services to Individuals - Program policy regarding termination must require:
 - (1) Notification to the individual in writing and verbally of decision, reasons for termination and right and process of appeal.
 - (2) Notification, in writing, of services available from program to facilitate termination process.
 - (3) The knowledge and approval of the program director or designee for all terminations.
- d. Grievance Procedure
 Program policy regarding grievance shall require:

- (1) Procedures which clearly describe the lines of decision-making for appeals.
- (2) Appeals to be submitted in writing within 24 hours of the event.
- (3) Response to an appeal at each level to be within 24 hours and in writing. (Due to the time line, OCJP should be omitted from the appeal procedure).
- (4) A copy of the grievance, supportive information and disposition of the appeal be maintained in the individual's file.

e. Confidentiality

Program policy regarding confidentiality shall require:

- (1) The shelter program to have written policy regarding the disclosure of information about any program participant. This policy will specify procedures regarding release of client information to include who may release information, what types of information may be released, to what resources the information may be released, the purpose to release information and under what conditions information may be released.
- (2) Prior written consent of the program participant to release any information is required except under four conditions:
 - i. Disclosure for medical emergency;
 - ii. Disclosure to legal guardian of a program participant who has been legally declared incompetent;
 - iii. Disclosure for reporting of child abuse or adult abuse; and
 - iv. Disclosure required by subpoena or for monitoring and auditing purposes
- (3) The staff of the shelter program and volunteers are to be fully informed of the ethics of confidentiality and sign a oath of compliance with the confidentiality requirements of the program.

f. Evaluation

- (1) The shelter program must provide a mechanism for participant evaluation of services provided.
- (2) The shelter program must provide for an annual evaluation of their established goals and objectives.

VI. Service Delivery Process

The goal of all service delivery is to provide for crisis intervention and continued safety for the victim, children and dependents and to empower the victim to meet self-determined goals. The service delivery process involves four areas - intake, assessment, case plans, and case records. Staff and supervised trained volunteers may provide services.

a. Intake

The shelter program shall have written policy regarding intake procedures. The policy shall address:

- (1) Availability of intake 24 hours a day, seven days a week.
- (2) Type and extent of information required to determine and document eligibility.
- (3) Procedure to assist immediate needs, including safety, and to determine appropriate services or referral, and
- (4) Clarification of access to program services.

b. Assessment

The shelter program shall provide on-going assessment of each eligible participant and their situation. This assessment shall constitute the basis upon which the service plan and safety plan are developed with each of the participants.

The assessment is influenced by the following factors.

- (1) The circumstances of the victim such as their age, physical condition and emotional state; and their level of danger or risk.
- (2) Responsibilities for children or dependents and their needs.
- (3) Strength of and access to family relationships and support networks.
- (4) Educational and personal skills levels, and economic resources available to structure a level of service provision.
- (5) Progress in achieving goals established in service plan (relates to assessment prior to development of safety plan).

c. Case Plan

Three plans are available to structure service provision for the eligible victim. Each of these plans is developed with the full participation and involvement of the victim. Each is outlined below.

The first plan is termed a service plan. The plan will identify a goal, and outline the services and resources necessary to meet the goal and facilitate the safety of

the individual. In addition, the plan will identify the staff responsible for coordination of service provisions and estimate the time frames for provision of the services.

The second plan is the safety plan. This plan is developed with participation of staff or trained volunteers. The victim does not have to be a resident of a shelter facility to develop a safety plan. This plan is designed to give the victim options, and a plan of action, once the victim leaves the shelter or is thinking about leaving their abuser. Children should also complete a safety plan, when age appropriate.

The third plan is the exit plan. This plan is developed, if possible, at the time the victim leaves the shelter. Such a plan may also be in order at the time the victim completed a shelter service. The exit plan will contain a brief synopsis or check-off indicating progress on services provided. It will designate additional services needed and potential resources for those services. The safety plan is an integral part of the exit plan. During the development of the exit plan, the victim shall be notified of the availability of continued or additional services if re-entry is required. The victim must be provided an opportunity to evaluate the program of services.

d. Case Record

Case records are required on each customer. The case record shall reflect the range of services provided to the victim including services provided to children, dependents and perpetrator. Documentation of services provided shall be brief and concise; documentation should be recorded in a professional manner. Documentation may vary from a single page form which documents a hot-line call to a full case narrative.

Each case record, residential and non-residential shall contain as appropriate:

- (1) Intake information.
- (2) Assessment.
- (3) Service plan.
- (4) Exit plan which includes follow-up.
- (5) Safety plan

In addition, residential records shall include:

- (1) Health releases for women and children .
- (2) Release of information forms.
- (3) A copy of the rules, rights and responsibility sheet of the shelter which reflects the signature of the resident (s).

VII. Agency Requirements

a. Administration

- (1) The program administration shall assure, to the extent feasible, that any funds allocated for family violence shelter or shelter services shall be used to provide services in addition to those already provided by the Office of Criminal Justice Programs, in the Department of Finance and Administration.
- (2) The program administration shall be a public or a not-for-profit corporation, and be tax-exempt under Section 501 of the Internal Revenue Code.
- (3) The program administration shall comply with Tennessee Code Annotated, Section 37-1-403 and 37-1-605 by reporting cases of suspected child abuse to the Department of Children's Services and Tennessee Code Annotated, Section 71-6-103 by reporting cases of suspected adult abuse to the Department of Human Services. Appropriate adult protective service referrals would be those adults who are elderly or mentally or physically impaired, and who are incapable of obtaining for themselves the basic care or protection they require.
- (4) The program administration shall submit monthly statistical reports to program staff to include the number of victims served, number of shelter nights, volunteer hours provided, crisis calls received, and counseling hours provided. In addition, the program administration shall submit to the Department a written annual report on the progress made toward achievement of the program's goals and objectives. No information contained in the report shall identify any person served or enable any person to determine the identity of such a person. Additional information may be requested periodically.
- (5) The program administration shall be in compliance with Titles VI and VII of the Civil Rights Act of 1964, as amended, the Age Discrimination Act of 1975, and Section 504 of the Rehabilitation Act of 1973, and the Pro-Children's Act of 1994 (Public Law 103-227, Part C. Environmental Tobacco Smoke).

b. Governing Boards

- (1) All agencies shall have a governing board which meets regularly with staff.
- (2) All shelter programs which are incorporated in umbrella agencies shall have a separate advisory body in addition to the governing board.
- (3) A designated member of the advisory body shall serve on the governing boards.

- (4) Membership on the governing board or the advisory body, in the case of a shelter program incorporated into an umbrella agency, shall consist of individuals who reside in the community served by the shelter program, who have an understanding of the problem of family violence, who have an interest in the prevention of family violence and provision of services to victims of family violence.
- (5) Membership of the governing board or advisory body should be broad based, must reflect the racial and ethnic composition of the community served and should include representative victims of family violence.
- (6) Women should maintain a significant proportion of key decision making positions on the governing board or advisory body.
- (7) Board members must not be related by blood or marriage to other board members or staff, and must use good judgment to avoid even the appearance of a conflict of interest.

c. Personnel Requirements

- (1) The governing body shall adopt and have implemented written program personnel policies which are reviewed annually. These policies, which pertain to paid personnel only, shall address:
 - i. Non-discrimination in regard to sex, race, religion, color, sexual preference, national origin, disability, age or marital status;
 - ii. Recruitment, selection, promotion, and termination;
 - iii. Benefits;
 - iv. Vacation, sick leave and annual leave accrual compensatory time;
 - v. Rules of conduct;
 - vi. Disciplinary actions;
 - vii. Grievances;
 - viii. Supervision; and
 - ix. Written work performance evaluation.
- (2) Written job description for all program positions shall be available. These written descriptions shall include but not be limited to:
 - i. Job title;
 - ii. Tasks and responsibilities of the job;
 - iii. Required skills, knowledge and experience;
 - iv. Salary range; and

v. Lines of authority

d. Staff Requirements

All staff employed with a shelter should possess an understanding of the issues of family violence.

(1) Qualifications

- i. Program director: minimum requirements include a high school diploma or GED certification and additional life, work or educational experiences which apply to the duties and responsibilities outlined in the job description.
- ii. Support staff: minimum requirements include life, work or educational experiences which apply to the duties and responsibilities outline in the job description. Such support staff positions should include coordinators, direct service case workers, house managers, secretarial, maintenance, bookkeepers, and other professional staff.

(2) Wage and Hour Requirements

The shelter program positions shall be compensated in compliance with applicable federal and state laws which include the Fair Labor Standards Act.

(3) Orientation

The shelter program shall provide for a staff orientation which shall include:

- i. Insuring overall familiarization with the agency and program purpose, objectives, structure and policy; and
- ii. Specific exposure to and training in the duties of the position.

(4) Staff Development

The shelter program shall provide a written plan for staff development and training which shall include:

- i. Initial training for new staff;
- ii. Ongoing training for personnel;
- iii. Policy for leaves for conferences, classes or institutes; and
- iv. Regular staff meetings for discussion of programs, problems, policies and method of practice.

(5) Volunteers

A shelter program shall have written policy and a plan on the use of all volunteers (direct services, maintenance, and transportation) which shall include:

- i. An application filed and individual screening;
- ii. A full description of duties and rights, including confidentiality policy and practices;
- iii. Provision for supervision;
- iv. Provision of role appropriate orientation, initial training and ongoing training.
- v. Guidelines and policy for termination; and
- vi. Policies and procedures for contracting of volunteer services.

This policy shall assure non-discrimination in regard to sex, color, race, religion, sexual preference, national origin, disability, age, or marital status in the recruitment, and selection of volunteers and in placement of assignment. Where possible, volunteers should be selected to reflect the racial and ethnic composition of the community served by the shelter program.

LIFE SAFETY CODES (FIRE STANDARDS)

Click the link below to be taken to the Life Safety Codes (Fire Standards)

<http://www.state.tn.us/finance/rds/0405fvsmanual.pdf>

For PRINTED VERSIONS you will need to type the above referenced web site address in your internet explorer address box.. Click “Go”.

RULES/GUIDELINES FOR OCJP – REQUIRED DATA COLLECTION

Click the link below to be taken to the Rules/Guidelines for OCJP – Required Data Collection:

<http://www.state.tn.us/finance/rds/datacoll07.pdf>

For PRINTED VERSIONS you will need to type the above referenced web site address in your internet explorer address box. Click “Go.”

GOVERNOR'S METHAMPHETAMINE INITIATIVE GRANT
CHILD ADVOCACY CENTERS
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GOVERNOR'S METHAMPHETAMINE INITIATIVE

INTRODUCTION

Methamphetamine use and production have placed a great strain on social services agencies and have created major problems for families throughout Tennessee. The use and production of methamphetamines is an ongoing problem. Methamphetamine is an addictive stimulant affecting the central nervous system. Tennessee accounts for 75% of the methamphetamine lab seizures in the Southeast.

Methamphetamine manufacturing has added a new casualty to the long list of victims caught in the chaos of drug abuse. In increasing numbers, children of methamphetamine producers have become victimized by their parents' illegal manufacture and use of this substance. These parents neglect their children's development and place them in hazardous living conditions that can cause serious health problems, even death. They are exposed to immediate dangers and to the ongoing effects of chemical contamination. In addition, the child may be subjected to fires and explosions, abuse and neglect, a hazardous lifestyle, social problems, and other risks.

The Tennessee Department of Children's Services estimates that more than 700 children are placed in state custody each year as a result of methamphetamine lab seizures and incidents. Particularly at risk are infants and toddlers living in homes where toxic emissions and residue settle on floors and furniture. Children living in these conditions are at increased risk for severe neglect and are more likely to be abused by family members and others at the site. They may experience the added trauma of witnessing violence or watching the police arrests their parent. Without effective intervention, many will imitate their parents and caretakers when they become adults, engaging in criminal or violent behavior.

CHAPTER 1
GOVERNOR'S METHAMPHETAMINE INITIATIVE
ELIGIBLE SUBRECIPIENTS

I. ELIGIBLE PROGRAMS

Priority will be given to Child Advocacy Centers experiencing the highest number of methamphetamine lab seizures per capita. Children Advocacy Centers are child friendly multidisciplinary programs that allow professionals from child protective services, law enforcement, criminal justice, victim advocacy agencies, and the medical and mental health communities to work in a collaborative way to better serve children who have been victimized. The goal of a Child Advocacy Center is to ensure that children are not re-victimized by the very system designed to protect them.

Child Advocacy Centers successful in receiving dollars allocated in the Governor's Meth-Free Tennessee Grant Initiative for Child Advocacy Centers will be organized around the following core outcome indicators:

- Victims experience a decrease in the frequency and/or intensity of abuse-related symptoms.
- Victims experience increased safety.
- Victims experience empowerment.
- Victims recognize agency support of client.
- Victims report that they have identified a victim support system.
- Victims know how to access available resources.
- Shelters, law enforcement, legal services, health care, schools, prosecutors and other community agencies report improved working relationships with the agency on victim services matters.
- Victims express satisfaction with services.

CHAPTER 2
GOVERNOR’S METHAMPHETAMINE INITIATIVE
PROGRAM PURPOSE AND REQUIREMENTS

I. PROGRAM PURPOSE

The Governor’s Meth-Free Tennessee Initiative for Child Advocacy Centers shall be used to fund contracts to Child Advocacy Centers to support their services to drug exposed children. A Family Advocate will provide client services to drug endangered children and their families in a child friendly environment. This initiative will put services in place to respond to the methamphetamine epidemic in Tennessee and is part of the Governor’s Methamphetamine Initiative designed to respond to the epidemic.

II. PROGRAM REQUIREMENTS

The Governor’s Meth-Free Tennessee Child Advocacy Center Grant Initiative shall be used to support the cost of training, personnel, travel, and operational expenses relating to the client services provided to drug exposed children in Tennessee and their families. Child Advocacy Centers receiving funds to provide these client services must be able to demonstrate a record of providing effective services to child victims and non-offending parents.

CHAPTER 3
GOVERNOR'S METHAMPHETAMINE INITIATIVE
REPORTING REQUIREMENTS

Child Advocacy Centers must adhere to all reporting requirements and timelines for submitting the required reports.

- A. Semi-Annual Outcome Report
- B. OCJP GMI Quarterly Output Report
- C. Annual Outcome Reporting
- D. Projected Output Report

These reports are used to monitor projects, fulfill federal grant reporting requirements, provide information for state strategies, assist OCJP in determining project success and funding allocations, and initiate monthly payments to the GMI subrecipient. **Examples of each form are provided in [GMI Appendix A](#). Forms may be reproduced locally, but should maintain the original format and content.**

The subrecipient is required to gather and maintain statistical data relating to grant project activities as required by the Office of Criminal Justice Programs. The data collected should support the information submitted on the semi-annual and annual reports. OCJP may periodically request to see the back-up data that supports the information submitted on your semi-annual and annual output and outcome reports.

The Project Director is responsible for timely submission of completed **program and fiscal** reports.

Note: Inability to submit required reports in a timely fashion is considered failure of a required contract obligation.

- A. **Semi-Annual Outcome Reporting:** outcome reporting is required of all subrecipients at mid-year. **Semi-annual Outcome Report covers the period July 1st through December 31st.** Outcomes are benefits resulting for the participants from the program activities. OCJP is interested in collecting project outcome data based on the "core outcomes" by project type. The Semi-Annual Outcome Report will be available on our website at <http://www.state.tn.us/finance/rds/ocjp.htm> and should be submitted to OCJP by January 31st. (See [GMI Appendix D](#) for Required Client Outcome Indicators and Measures)
- B. **OCJP GMI Quarterly Output:** Each subrecipient is required to submit specific grant performance data using the OCJP provided form no later than 15 days following the end of the quarter for which the information is being submitted. [See GMI Appendix A](#)

- C. **Annual Outcome Reporting:** The second outcome report is required at the end of each contract year. **The Annual Outcome Report covers the period of January 1st through June 30th.** The Annual Outcome Report should be submitted to OCJP by July 31st. **Community and/or Collaborator Surveys** (as required based on your program type) cover the period **July 1-June 30**. The Annual Outcome Report will be available on our website at <http://www.state.tn.us/finance/rds/ocjp.htm> . The Community and/or Collaborator Survey Reports should be reported annually to OCJP by July 31. (See [GMI Appendix E](#) for Sample Victim/Community/Collaborator Surveys)

NOTE: Subrecipient programs are not required to use client surveys to collect required **core outcome data**, but they are required to provide data addressing the core outcome indicators and measures for your specific project type, using a standard five-point scale (Strongly Agree to Strongly Disagree) for all client feedback and satisfaction data. Subrecipients should not change the substance of the core outcome measures. Subrecipient agencies may choose to use other available data sources to further validate and verify subrecipient data i.e. exit interviews, case notes, focus groups, staff observation, etc. **Data based on staff observations should be submitted as supplemental and NOT mixed with client feedback data.**

Data may be collected on the required satisfaction measures separately from participant outcome data in order to assure confidentiality. If a separate process is used to collect data on the required satisfaction measures, that process must be separately described in the logic model project narrative. [See Appendix G Rules/Guidelines for OCJP Required Data Collection.](#)

- D. **Projected Outcome Report:** Projecting outputs is a requirement of all subrecipients at the beginning of each contract year. Subrecipients are asked to project the number of outputs to be achieved during the upcoming contract year. Projected output reports should be submitted by July 31st for the upcoming contract period July – June. The data will assist OCJP in evaluating the planned versus actual activities funded through the grant.

GMI REPORTING SCHEDULE

Name of Report	Dates Covered	Date Due	Person Sent To
A. Semi-Annual Outcome Reporting	July 1-December 31	January 31 st	SUBMITTED AS AN ONLINE REPORT
B. OCJP GMI Quarterly Output Report	1 st Quarter 2 nd Quarter 3 rd Quarter 4 th Quarter	1 st Quarter/10-15 2 nd Quarter/1-15 3 rd Quarter/4-15 4 th Quarter/7-30	Program Manager Office of Criminal Justice Programs 312 8th Avenue North, Suite 1200 William R. Snodgrass Tennessee Tower Nashville, TN 37243-1700
C. Annual Outcome Reporting	January 1-June 30	July 31 st	SUBMITTED AS AN ONLINE REPORT
a. Projected Output Report	Upcoming Contract Period July to June	July 31 st	SUBMITTED AS AN ONLINE REPORT
E. Policy 03 Quarterly Expense and Revenue Report (Non Profit Agencies Only)	1 st Quarter 2 nd Quarter 3 rd Quarter 4 th Quarter	1 st Quarter/10-15 2 nd Quarter/1-15 3 rd Quarter/4-15 4 th Quarter/7-30	Janet Stewart Office of Criminal Justice Programs 312 8th Avenue North, Suite 1200 William R. Snodgrass Tennessee Tower Nashville, TN 37243-1700 Janet.Stewart@state.tn.us
F. Tennessee Department of Finance & Administration Invoice for Reimbursement	Prior Month	Monthly	Office of Business & Finance Department of Finance and Administration 20 th Floor Tennessee Tower 312 8th Avenue North, Suite 1200 William R. Snodgrass Tennessee Tower Nashville, TN 37243-1700 OCJP_INVOICE@state.tn.us
G. Project Equipment Summary Report (If applicable)	Current Fiscal Year	30 days past the end of the State fiscal year (July 31)	Program Manager Office of Criminal Justice Programs 312 8th Avenue North, Suite 1200 William R. Snodgrass Tennessee Tower Nashville, TN 37243-1700
H. OCJP Quarterly Program Income Summary Report (Government Agencies only) (If applicable)	1 st Quarter 2 nd Quarter 3 rd Quarter 4 th Quarter	1 st Quarter/10-15 2 nd Quarter/1-15 3 rd Quarter/4-15 4 th Quarter/7-30	Janet Stewart Office of Criminal Justice Programs 312 8th Avenue North, Suite 1200 William R. Snodgrass Tennessee Tower Nashville, TN 37243-1700 Janet.Stewart@state.tn.us

PLEASE PAY CLOSE ATTENTION TO THE LAST COLUMN AND SEND REPORTS TO THE PERSON LISTED.

CHAPTER 4
GOVERNOR'S METHAMPHETAMINE INITIATIVE
ALLOWABLE COSTS

Allowable costs are those cost principles identified in [OMB Circular A-87](#) for State and local Government, [OMB Circular A-122](#) for Non-Profit Organizations, and in the grant program's authorizing legislation. In addition, costs must be reasonable, allocable, necessary to the project, and comply with the funding statute requirements.

Funds allocated through the Governor's Meth-Free Tennessee Grant Initiative for Child Advocacy Centers will be used to provide services to drug exposed children and their non-offending family members. Allowable costs include

- staff training
- travel
- personnel expenses
- operational expenses

See OCJP Administrative Manual, [Chapter XIV](#)-Allowable Costs

CHAPTER 5
GOVERNOR'S METHAMPHETAMINE INITIATIVE
UNALLOWABLE COSTS

See OCJP Administrative Manual, [Chapter XV](#)-Unallowable Costs

CHAPTER 6
GOVERNOR'S METHAMPHETAMINE INITIATIVE
PERFORMANCE MEASUREMENT AND DECISION MAKING

A. Performance Measurement

1. The Office of Criminal Justice Programs, like all funders, wants to be a responsible steward of limited federal and state grant money. To accomplish this goal, OCJP works to assure that grants are awarded to agencies that can demonstrate they make a difference for clients. We have continually worked with our subrecipient agencies to provide them with the tools and experience they need to manage their operations and to demonstrate their accountability. *We recognize that the combination of output, outcome and satisfaction data comprise a best picture possible of an agency's performance.*
2. OCJP is interested in subrecipient agencies improving performance as well as quantifying their effort. It has been demonstrated that agencies that want to survive and flourish must make significant efforts to continually improve performance and to be able to prove it with verifiable measurements.
3. Although output data is important and will continue to be collected, used and submitted to our federal funders, outcome data has provided us with additional information related to the results of agency efforts on the clients the OCJP/subrecipient partnership serves. Outcome information describes some change in the participant's condition and establishes the benefits of the funding in measurable terms.
4. We recognize that there are basically three reasons for attending to client outcomes:
 - (a) **To Improve Program Performance** - Agencies exist to help clients find better lives. Agencies want clients safer, more informed, aware of their options and exercising better judgment. Subrecipient agencies need solid information about how well their clients are doing in order to continue improving the quality of their programs.
 - (b) OCJP and other funding sources must be in a position to make funding decisions:
 - When funds are available, funding agencies need information on results to decide which service models to support.

- When funds are limited, funding agencies must be able to direct limited resources toward approaches known to work.

(c) **To Meet Federal Reporting Requirements.**

5. Performance data can be used to monitor and measure individual program performance or aggregated by project type, the state and/or fund source.
6. OCJP will continue to expect programs to use the logic model to describe how their grant-funded project theoretically works to benefit the target group. OCJP will also continue to collect and use **output** and outcome information as we manage our federal grants.
7. The data collected and reported by Tennessee subrecipients answers three questions:
 - OUTPUTS** - What are we doing?
 - SATISFACTION** - How well are we doing it?
 - OUTCOMES** - How is the client doing?
8. OCJP does not collect information with which to compare one program or project with another. However OCJP publishes data on our website by which any agency can compare their own data with data reported by like projects.

B. OCJP Decision-Making

1. OCJP conducts **Performance Management Reviews (PMR)** of each subrecipient contract annually. The performance review process consists of a detailed weighing system that provides a historical perspective of past and present subrecipient performance.
2. The PMR consists of the following criteria, based on a 100 point scale: (See [Appendix F](#))
 - (a) **Integrity of Program Design** – the logic model description of the program. **(15%)**
 - (b) **Reporting History** – compliance with output and outcome reporting requirements. **(15%)**
 - (c) **Program Performance** – considering compliance with victim and community/collaborator outcome measurement requirements; notification to OCJP of pertinent changes; history of spending; program manual understanding and overall program effectiveness. **(50%)**
 - (d) **Contract Monitoring** – ratings will examine program and fiscal findings. **(20%)**

3. OCJP will make funding/allocation decisions based on:
 - (a) Performance Management Review Ratings
 - (b) The funding priorities and requirements of the funding source
 - (c) Ensuring that funds are allocated across the state in a defensible and equitable manner.

- III. Indicate the number of victims provided services according to their race or national origin (total must equal the total in Section I). **Numbers are to reflect ONLY victims served under the GMI grant not your entire agency.**

National Origin	Number Of Children Served	Number Of Adult Caregivers Served
1. European American		
2. African American		
3. Hispanic		
4. Asian or Pacific Islander		
5. American Indian		
6. Other (specify)		
7. Total		

- IV. Identify each victim served by sex (total must equal the total in Section I). **Numbers are to reflect ONLY victims served under the VOCA grant not your entire agency.**

Sex	Number Of Children Served	Number Of Adult Caregivers Served
1. Female		
2. Male		
3. Total		

- V. Indicate the number of victims served according to age group (total must equal the total in Section I). **Numbers are to reflect ONLY victims served under the VOCA grant not your entire agency.**

Age Group	Number Of Children Served
1. 0 - 1 yr.	
2. 2 yrs. - 4 yrs.	
3. 5 yrs. - 9 yrs.	
4. 10 yrs. - 12 yrs.	
5. 13 yrs. - 18 yrs.	
6. Total	

OFFICE OF CRIMINAL JUSTICE PROGRAMS

GMI QUARTERLY OUTPUT REPORT FORM INSTRUCTIONS

Check the appropriate box to indicate the quarter for which the report is being submitted.

Agency Name: Enter the name of your agency.

Grant Number: Enter the grant number (begins with "Z") from your contract.

Address, City, State, Zip: Enter the complete address for your agency.

Person Completing Report: Enter the name, phone number, and fax number of the person completing the report.

- I. Indicate the number of children and non-offending parents/caregivers served for the quarter for which the report is being submitted..
- II. Enter the total number of children and/or non-offending parent/caregiver (not number of services provided) served by service type for the quarter. For example: an agency provides 10 therapy sessions with 10 victims attending. This would be counted as 10 therapy sessions.
- III. Indicate the total number of children and/or non-offending parent/caregivers (for the quarter) receiving services for the year according to their national origin. Please ***do not add*** additional categories.
- IV. Indicate the total number of children and/or non-offending parent/caregivers (for the quarter) receiving services by gender.
 - V. Indicate the total number of children served (for the quarter) according to their age category.

GOVERNOR’S METH-FREE TN INITIATIVE FOR CHILD ADVOCACY CENTERS

BUDGET REVISION FORMS

<http://www.state.tn.us/finance/rds/manuals.htm>

After web page opens please scroll to the bottom of the screen to locate the appropriate fund source and click **FVS**.

For PRINTED VERSIONS you will need to type the above referenced web site address in your internet explorer address box. Click “Go”. Then follow the instructions above this paragraph.

PROGRAM LOGIC MODEL

Click the link below to be taken to the Logic Model:

<http://www.state.tn.us/finance/rds/logicmodel.pdf>

For PRINTED VERSIONS you will need to type the above referenced web site address in your internet explorer address box and click go.

REQUIRED CLIENT OUTCOME INDICATORS AND MEASURES

Click the link below to be taken to the Client Outcome Indicators and Measures:

<http://www.state.tn.us/finance/rds/coreout.pdf>

For PRINTED VERSIONS you will need to type the above referenced web site address in your internet explorer address box and click go.

SAMPLE VICTIM/COMMUNITY/COLLABORATOR SURVEYS

Click the link below to be taken to the Client Satisfaction Survey:

<http://www.state.tn.us/finance/rds/victimshomepage.htm>

After arriving at the web page scroll down to the approximate center of the page. The surveys are listed by Outcome Measure. Click on the appropriate name to see the survey then click print.

For PRINTED VERSIONS you will need to type the above referenced web site address in your internet explorer address box. Click “Go” and follow the instructions listed above.

VICTIM SERVICES CONTRACT PERFORMANCE REVIEW PROCESS

Click the link below to be taken to the Project Management Review Description:

<http://www.state.tn.us/finance/rds/PMR07.pdf>

For PRINTED VERSIONS you will need to type the above referenced web site address in your internet explorer address box and click go.

RULES/GUIDELINES FOR OCJP – REQUIRED DATA COLLECTION

Click the link below to be taken to the Rules/Guidelines for OCJP – Required Data Collection:

<http://www.state.tn.us/finance/rds/datacoll07.pdf>

For PRINTED VERSIONS you will need to type the above referenced web site address in your internet explorer address box. Click “Go.”

RESIDENTIAL SUBSTANCE ABUSE TREATMENT GRANT TABLE OF CONTENTS

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- C. [Budget Revisions Forms and Instructions](#)

RESIDENTIAL SUBSTANCE ABUSE TREATMENT INTRODUCTION

This document is provided for use by all subrecipient staff receiving federal grant funds from the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, Residential Substance Abuse Treatment Program for State Prisoners (RSAT) administered by the Tennessee Office of Criminal Justice Programs (OCJP). This Guide is to serve as reference for the financial and programmatic requirements/responsibilities of projects funded through the RSAT Program.

This guide is not intended to replace more detailed technical assistance available from the OCJP Program Manager assigned to your project. Subrecipient staff are encouraged to address questions or concerns regarding the subject matter in this guide or other issues to your OCJP Program Manager.

Residential Substance Abuse Treatment for State Offenders Grants (CFDA # 16.593): The Violent Crime Control and Law Enforcement Act of 1994 establishes a program of federal grants administered by the Bureau of Justice Assistance, Office of Justice Programs, U.S. Department of Justice. This program, known as Residential Substance Abuse Treatment for State Prisoners (RSAT), assists states and units of local government in developing and implementing residential substance abuse treatment programs within State and local correctional and detention facilities.

The RSAT Program assists states and local governments in developing and implementing substance abuse treatment programs in state and local correctional and detention facilities. The RSAT Program also assists states and local governments in creating and maintaining community-based aftercare services for offenders. The goal of the RSAT Program is to break the cycle of drugs and violence by reducing the demand for, use, and trafficking of illegal drugs.

The objectives of the RSAT Program are to:

- Enhance the capability of states and units of local government to provide residential substance abuse treatment for incarcerated inmates.
- Prepare offenders for their reintegration into the communities from which they came by incorporating reentry planning activities into treatment programs.
- Assist both the offenders and their communities through the reentry process through the delivery of both community-based treatment and other broad-based aftercare services.

CHAPTER I

RSAT ELIGIBLE SUBRECIPIENTS

A. **Eligible Subrecipients:** The intent of the Residential Substance Abuse Treatment Formula Grant Program is to assist units of State and local government in carrying out specific programs that offer treatment programs in correctional settings that offer a high probability of offenders not returning to the criminal justice system. Special emphasis is placed on programs that implement an aftercare component once the offender has successfully completed treatment. In accordance with Section 507 of the Act, the State may award RSAT Formula Grant Program funds to State agencies and units of local government for the following purposes:

1. Developing and implementing residential substance abuse treatment programs within state and local correctional and detention facilities in which prisoners are incarcerated for a period of time sufficient to permit substance abuse treatment.
2. .Emphasizing treatment for underserved populations (ie. women).
3. Improving the coordination between state and local correctional representatives and alcohol and drug abuse agencies at the state and local levels.

CHAPTER II

RSAT PROGRAM PURPOSE/REQUIREMENTS

A. **Program Purpose:**

The Residential Substance Abuse Treatment Formula Grant Program assists states and units of local government in developing and implementing residential substance abuse treatment programs within state and local correctional and detention facilities in which prisoners are incarcerated for a period of time sufficient to permit substance abuse treatment.

The goal of this program is to provide for a provision in the statewide strategy to address the need to develop or enhance substance abuse treatment programs for offenders. In implementing the programs, the grantees are encouraged to adopt comprehensive approaches to substance abuse testing and treatment for offenders, including relapse prevention and aftercare services.

The Residential Substance Abuse Treatment Program is administered by the Bureau of Justice Assistance (BJA) in the Office of Justice Programs (OJP), U.S. Department of Justice (DOJ).

B. **Program Requirements:**

The Residential Substance Abuse Treatment Formula Grant funds may be used to implement residential substance abuse programs that provide individual and group treatment programs for offenders in residential facilities operated by state and local correctional agencies. These programs must:

1. Last between 6 and 12 months. Each offender must participate in the program for not less than 6 or more than 12 months, unless he or she drops out or is terminated.
2. Be provided in residential treatment facilities set apart from the general correctional population. Set apart means a totally separate facility or a dedicated housing unit within a facility exclusively for use by program participants.
3. Focus on the substance abuse problems of the inmate.
4. Develop the inmate's cognitive, behavioral, social, vocational, and other skills to solve the substance abuse and related problems.
5. Implement or continue to require urinalysis and/or other proven reliable forms of drug and alcohol testing.

Preferably, participation in the residential program should be limited to inmates who have 6 to 12 months left in their term of confinement so that they can be released from prison after completing the treatment program, rather than being returned to the general prison population.

The federal share of a grant funded project may not exceed 75 percent of the total cost of the project. The 25 percent matching funds must be in the form of a cash match. These “match” funds must be paid with nonfederal funds. These funds must also be in addition to funds that would otherwise be made available by the subrecipient for treatment.

Drug Testing:

Applicant must agree to implement or continue to require urinalysis and/or other proven reliable forms of drug and alcohol testing of individuals assigned to residential substance abuse treatment programs in correctional facilities. Such testing must include individuals released from residential substance abuse treatment programs who remain in the custody of the state. Applicants are also encouraged to implement drug testing and treatment programs for offenders throughout their criminal justice systems. As part of its application for funds, the **applicant** must describe its current drug testing programs, the number of offenders tested, and plans to expand or continue these programs. Grant funds may be used to pay the cost of testing offenders while in a grant-supported program.

Aftercare:

The State is required to give preference to subgrant applicants who will provide aftercare services to program participants. Aftercare services should involve coordination between the correctional treatment program and other human service and rehabilitation programs, such as education and job training, parole supervision, halfway houses, and self-help and peer group programs that may aid in rehabilitation. Currently, under the governing statute, **10% of grant funds** may be used for non-residential treatment provided during the aftercare component of the program.

Coordination:

Corrections treatment programs and state and/or local substance abuse treatment programs are required to work together to place program participants in appropriate community substance abuse treatment when these individuals leave the correctional facility at the end of their sentence or time on parole. Both agencies should work together in developing an individualized plan for community substance abuse treatment for each offender. This plan should begin when an offender enters the residential treatment program. Applicants are encouraged to develop written agreements and procedures to facilitate this cooperation.

In designing and implementing the Residential Substance Abuse Treatment Formula Grant Program, states are required to ensure coordination between correctional representatives and alcohol and drug abuse agencies at the state and if appropriate, local levels. This should include coordination under the Residential Substance Abuse Treatment Program and the Substance Abuse Prevention and Treatment Block Grant Program administered by the Department of Health and Human Services’ Substance Abuse and Mental Health Services Administration.

CHAPTER III

RSAT REPORTING REQUIREMENTS

All subrecipients are responsible for periodic reporting on their projects to the OCJP. Reporting requirements include:

- RSAT Annual Report
- F & A Invoice For Reimbursement (See OCJP appendix I)
- OCJP Quarterly Program Income Report (OCJP Appendix L)
- OCJP Project Equipment Summary Report (OCJP Appendix K)

These reports are used to monitor projects, fulfill federal grant reporting requirements, provide information for state strategies and implementation plans, and to assist OCJP in determining project success and funding allocations. Examples of each form are provided in the [RSAT Appendix B-Report Forms and Instructions](#), of this manual.

Forms may be reproduced locally, but must maintain the original format and content. The Project Director is responsible for timely submission of completed reports. Note: Inability to submit required reports in a timely fashion is considered failure of a required contract obligation.

- A. RSAT Annual Report:
This report form is completed on an annual basis. It is due to the OCJP 30 days after the close of each State fiscal year, (July 1 - June 30). This report provides the Project Director an opportunity to describe in both narrative and quantitative fashion the success of the program. Over time, these reports can provide valuable trend information when combined with other regional and statewide data.

All program reports should be sent to:

**OCJP Program Manager
Office of Criminal Justice Programs
William R. Snodgrass Tennessee Tower
312 8th Avenue North, Suite 1200
Nashville, TN 37243-1700**

- B. Finance and Administration Invoice for Reimbursement:
Invoice forms must be sent, at a minimum, on a quarterly basis and should reflect actual expenditures for the period.

Invoices should be emailed to:

Office of Budget and Finance
[OCJP INVOICE@state.tn.us](mailto:OCJP_INVOICE@state.tn.us)

NOTE: Subgrantees must provide a written report(s) to OCJP within thirty (30) days from the date of occurrence of any of the following:

1. Any change of address for authorizing official, project director, or financial director for the project funded.
2. Any lawsuits filed by clients or employees of the implementing agency.
3. Any cessation or interruption of implementation of project activities arising from litigation, loss of staff, or programmatic restructuring.
4. Change in project site or location.
5. Change in, or temporary absence of, project director or financial director.
6. Addition of supplies or equipment to project budget not previously identified.
7. Change in scope of programmatic activities or purpose of project.

RSAT REQUIRED REPORT TIMELINES

REPORT	PERIOD COVERED	SUBMIT TO OCJP
<u>F&A Invoice For Reimbursement (See OCJP Appendix I)</u>	Monthly (minimum quarterly)	(Robert Marshall) Office of Budget and Finance Monthly
<u>RSAT Annual Report (See RSAT Appendix B)</u>	July through June (state fiscal year)	(Assigned Program Manager at OCJP) July 31 st
<u>Quarterly Program Income Report (See OCJP Appendix L)</u>	July through September October through December January through March April through June	(Assigned Program Manager at OCJP) October 30 th January 30 th April 30 th July 30 th
<u>Equipment Summary (See OCJP Appendix K)</u>	July 1 st through June 30 th	(Assigned Program Manager at OCJP) July 31 st

CHAPTER IV

RSAT DIRECT SERVICE PERSONNEL REQUIREMENT

- A. Licensure: Accurate documentation is required that all personnel providing individual and group counseling are licensed Alcohol and Drug Abuse (LADAC) Counselors by the State of Tennessee Department of Health. For further information please refer to the Rules Governing Licensure of Alcohol and Drug Abuse Counselors, Chapter 1200-30-1 on the State Department of Health website.
1. All non-licensed personnel must actively be working on their LADAC. Clear documentation that all requirements are being followed is required. Clinical supervision of these personnel must clearly be defined in your policies and procedures manual. Verification that the procedure is being followed must also be documented in the personnel file. Personnel who are not licensed alcohol and drug abuse counselors and actively working on licensure may only be utilized with prior approval from OCJP.
 2. Other appropriate certification or licensure may be substituted upon **prior written approval** from the Office of Criminal Justice Programs.

RSAT

FEDERAL LEGISLATIVE AUTHORITY

16.593 RSAT Grant Program

Residential Substance Abuse Treatment for State Offenders Grants (CFDA # 16.593): The Violent Crime Control and Law Enforcement Act of 1994 establishes a program of federal grants administered by the Bureau of Justice Assistance, Office of Justice Programs, U.S. Department of Justice. This program, known as Residential Substance Abuse Treatment for State Prisoners (RSAT), assists states and units of local government in developing and implementing residential substance abuse treatment programs within state and local correctional and detention facilities.

“Drug users are involved in approximately three to five times the number of crimes as arrestees who do not use drugs. Approximately three-fourths of prison inmates and over half of those in jails or on probation are substance abusers, yet only 10 to 20 percent of prison inmates participate in treatment while incarcerated. Simply punishing drug-dependent criminals is not enough. If crime is to be reduced permanently, addiction must be treated. Treatment while in prison and under post incarceration supervision can reduce recidivism by roughly 50 percent.”¹

Illegal drug use continues to be a major factor in crime and violence in America. A study by the National Center on Addiction and Substance Abuse at Columbia University (CASA) showed that 1.4 million offenders-or 80 percent of the 1.7 million incarcerated adults-were either high on drugs or alcohol when arrested, stole property to buy drugs, or have a history of drug and alcohol abuse. The study also suggested that residential treatment along with appropriate aftercare could reduce relapse and recidivism.

Approximately 70-80 percent of all state prison inmates are in need of substance abuse treatment according to a Corrections Program Office sponsored survey of state departments of corrections conducted in the fall of 1997. On average about 12.7 percent of the inmates in reporting states are receiving treatment on any given day, and only 15.3 percent complete a prescribed substance abuse treatment program prior to release from confinement. The respondents also estimate that just over one-third of those in need of treatment in the community following release will receive it.²

Proven treatment along with education, job training, and health care can significantly impact the economy and crime reduction. According to the CASA study, the cost of such rehabilitation would average about \$6,500 per year. Each inmate who successfully completes such treatment and becomes a law-abiding, tax-paying citizen would generate a ten-fold return on that investment in the first year. Comparatively, an estimated reduction of one million crimes per year could be realized for every 10,000 drug-addicted inmates who stay off drugs and crime after release.³ Drug treatment for offenders while in custody is a logical, convenient, and cost-effective point of intervention in the fight to reduce crime and recidivism.⁴

The Omnibus Crime Control and Safe Streets Act, Pub. L. 90-351, Title I, 82 stat.197 (1968), as amended, provides funds to the states, through the Residential Substance Abuse Treatment for State Prisoners (RSAT) Program, to develop or enhance substance abuse treatment programs for offenders. It authorizes

the Attorney General to award formula grants for substance abuse treatment programs in state and local correctional facilities.

The award will be made to the state office that is designated under Section 507 of the Omnibus Crime Control and Safe Streets Act, codified at 42 U.S.C. 3757, to administer the Edward Byrne Memorial State and Local Law Enforcement Assistance Formula Grant Program. The state office may award subgrants to state and units of local government.

³ *Behind Bars: Substance Abuse and America's Prison Population*. National Center on Addiction and Substance Abuse at Columbia University, January 1998.

⁴ *Effectiveness of Treatment for Drug Abusers Under Criminal Justice Supervision*, Douglas S. Lipton Ph.D., National Institute of Justice, 1995.

REPORTING FORMS AND INSTRUCTIONS

Residential Substance Abuse Treatment (RSAT) Program Annual Progress and Outcome Report

Instructions

1. *Treatment Beds Supported*: Enter the number of previously supported RSAT beds that receive RSAT continuation funding during the current funding cycle.
2. *New Treatment Beds*: Enter the number of new treatment beds created with RSAT grant funds during the current funding cycle.
3. *Enhanced Treatment Beds*: Enter the number of treatment beds that are funded through non-RSAT sources that received enhanced services, funded with RSAT, during the current funding cycle.
4. *Average Length of Stay in Residential*: Use the following formula to calculate:
Total # days in residential by successful completions **divided by** Total # of successful completions
5. *Total Number of Days of Residential Treatment*: Enter the cumulative number of days in RSAT residential treatment, **per person**, regardless of successful completion, drop out, or termination.

Ex: Joe B., 100 days in treatment
John C., 50 days in treatment
+ Jacob D., 65 days in treatment
215 days of residential treatment

6. *Total Number of Days of Aftercare*: Enter the cumulative number of days in RSAT aftercare treatment, **per person**, regardless of successful completion, drop out, or termination.

Ex: Joe B., 100 days in treatment
John C., 50 days in treatment
+ Jacob D., 65 days in treatment
215 days of residential treatment

7. *Total Number of Offenders Entering RSAT Program*: Enter the total number of offenders who entered the RSAT program this cycle.
8. *Total Number of Adult Male Offenders*: This is the actual (not capacity) count of adult male offenders who entered the RSAT program this cycle.

9. *Total Number of Adult Female Offenders:* This is the actual (not capacity) count of adult female offenders who entered the RSAT program this cycle.

10. *Total Number of Juvenile Male Offenders:* This is the actual (not capacity) count of juvenile male offenders who entered the RSAT program this cycle.

11. *Total Number of Juvenile Female Offenders:* This is the actual (not capacity) count of juvenile female offenders who entered the RSAT program this cycle.

NOTE: Answers to questions 8, 9, 10, and 11 should equal Answer #7.

12. *Total Number of Offenders Entering RSAT Aftercare:* For programs operating at least six months, enter the number of offenders who entered an RSAT-funded aftercare program.

13. *Total Number of Adult Male Offenders:* This is the actual (not capacity) count of adult male offenders who entered the RSAT aftercare program this cycle.

14. *Total Number of Adult Female Offenders:* This is the actual (not capacity) count of adult female offenders who entered the RSAT aftercare program this cycle.

15. *Total Number of Juvenile Male Offenders:* This is the actual (not capacity) count of juvenile male offenders who entered the RSAT aftercare program this cycle.

16. *Total Number of Juvenile Female Offenders:* This is the actual (not capacity) count of juvenile female offenders who entered the RSAT aftercare program this cycle.

NOTE: Answers to questions 13, 14, 15, and 16 should equal Answer #12.

17. *Total Number of Successful Residential Completions:* Enter the total number of those who met all requirements of all phases in residential treatment.

18. *Total Number of Successful Residential Offenders Released Into Community:* Of the number reported in Question 17, indicate the number of those who have been released into the community.

19. *Total Number of Offenders Dropped Out:* Enter the total number of offenders who voluntarily left the program.

20. *Total Number of Offenders Administratively Discharged:* Enter the total number of offenders who were paroled, transferred to another institution, medically discharged, deemed not to have a level of functioning adequate to participate in the program, or whose sentence expired before completion of the program.

21. *Total Number of Offenders Behaviorally Discharged:* Enter the total number of offenders who were asked to leave the program due to inappropriate or disruptive behavior or were resistant to treatment.

22. *Total Number of Offenders Terminated:* Add the numbers reported in Questions 20 and 21 and enter the total here.

23. *Total Number of Offenders Successful Aftercare Completions:* Enter the total number of offenders who met all requirements of all phases in aftercare treatment.
24. *Average Length of Stay in Aftercare:* Use the following formula to calculate:

$$\frac{\text{Total \# days spent in aftercare by those successfully completing}}{\text{Total \# of successful completions}}$$
divided by
25. *Total Number of Offenders Dropped Out:* Enter the total number of offenders who voluntarily left the program.
26. *Total Number of Offenders Administratively Discharged:* Enter the total number of offenders who were paroled, transferred to another institution, medically discharged, deemed not to have a level of functioning adequate to participate in the program, or whose sentence expired before completion of the program.
27. *Total Number of Offenders Behaviorally Discharged:* Enter the total number of offenders who were asked to leave the program due to inappropriate or disruptive behavior or were resistant to treatment.
28. *Total Number of Offenders Terminated:* Add the numbers reported in Questions 26 and 27, and enter the total here.
29. *Average Cost per Person per Day for Residential Treatment:* Use the following formula to calculate:

$$\frac{\text{Total cost of program (amt of grant funds, federal + match) for 1 year}}{\text{Total \# of days of residential treatment (Question 5)}}$$
divided by
 Ex: $\$66,666 / 3000 = \22.22 per person per day
30. *Average Cost per Bed per Day for Aftercare:* Use the following formula to calculate:

$$\frac{\text{Total cost of program (amt of grant funds, federal + match) for 1 year}}{\text{Total \# of days of residential treatment (Question 6)}}$$
divided by
 Ex: $\$66,666 / 3000 = \22.22 per person per day
31. *Total Number of Drug Screens Administered:* Enter the total number of drug screens administered program wide (residential and/or aftercare) during this cycle. 'Drug screen' is defined as the sample provided by a participant which will be used to test for illegal substances.
32. *Total Number of Positive Drug Screens:* 'Positive drug screen' is defined per sample per person. For example, one sample could test positive for 3 substances, but would only be counted as ONE positive screen in this instance. This total should reflect the total positive screens program wide (residential and/or aftercare) during this cycle.
33. *Drug Free During Residential:* For the offenders completing the residential program, 'drug free' is defined as having zero positive drug screens while in the program.

34. *Drug Free During Aftercare*: For those offenders completing the aftercare program, 'drug free' is defined as having zero positive drug screens while in the program.

35. *Arrest Free During Aftercare*: For those offenders completing either the residential or the aftercare programs, or BOTH programs, 'arrest' is defined as any offense (misdemeanor or felony) which could result in incarceration.

NOTE: For Questions 36 through 41, please report data since program inception.

36. *Successful Completions Released into Community*: Enter the number of successful completions of either residential or aftercare who have been released into the community. Use data since program inception. 'Released into the community' is defined as having been released from the custody of a state or local correctional facility.

37. *Successful Completions who were Released and Rearrested*: Of the number reported in Question 34, enter the number who were rearrested. 'Released into the community' is defined as having been released from the custody of a state or local correctional facility. 'Arrest' is defined as any offense (misdemeanor or felony) which could result in incarceration.

38. For this question, use the number reported in Question 37 to provide a breakdown among the choices listed.

39. *Successful Completions Who were Re-incarcerated*: Of the number reported in Question 36, enter the number who were re-incarcerated. 'Released into the community' is defined as having been released from the custody of a state or local correctional facility. 'Re-incarcerated' is defined as having returned to the custody of a state or local correctional facility.

40. For this question, use the number reported in Question 39 to provide a breakdown among the choices listed.

41. *Successful Completions Arrest Free 1 Year Following Release*: Of the number reported in Question 36, determine the number who have been out of the program for at least one year. From that number, determine the number who have remained arrest free for at least 1 year following release.

Click [here for the RSAT report](#).

BUDGET REVISION FORMS

<http://www.state.tn.us/finance/rds/manuals.htm>

After web page opens please scroll to the bottom of the screen to locate the appropriate fund source and click **RSAT**.

For PRINTED VERSIONS you will need to type the above referenced web site address in your internet explorer address box. Click “Go”. Then follow the instructions above this paragraph. Click “Go”. Then follow the instructions above this paragraph.

STOP VIOLENCE AGAINST WOMEN TABLE OF CONTENTS

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STOP VIOLENCE AGAINST WOMEN

Formula Grant Program

INTRODUCTION

This guide is provided for use by all subrecipient staff receiving federal grant funds from the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, STOP Violence Against Women Formula Grant Program administered by the Tennessee Office of Criminal Justice Programs. This guide is to serve as a reference for the financial and programmatic requirements/responsibilities of projects funded through the STOP Violence Against Women Grant Program. It is not intended to replace more detailed technical assistance available from the OCJP Program Manager assigned to your project.

The STOP Violence Against Women Formula Grant Program was authorized through the Violence Against Women Act (VAWA) of 1994 and reauthorized and amended by the Violence Against Women Act of 2000 and the Reauthorization Act of 2005, Pub. L. No. 109-162. This Act reauthorizes the VAWA grant programs already administered by OVW for Fiscal Years 2007 through Fiscal year 2011. Its purpose is to promote a coordinated, multi-disciplinary approach to improving the criminal justice system's response to violence against women. It envisions a partnership among law enforcement, prosecution, courts and victim advocacy organizations to enhance victim safety and hold offenders accountable for their crimes of violence against women.

The intent of the STOP Violence Against Women Grant Program is to provide criminal justice assistance to state agencies, local units of government, non-profit and faith-based and community organizations. Its purpose is to promote a coordinated, multi-disciplinary approach to improving the criminal justice system's response to violence against women (and men who are victims of domestic violence, sexual assault or stalking).

Funding to Faith-based and Community organizations

Consistent with Executive Order 13279, December 12, 2002 and 28 CFR Part 38, it is OVW's policy that faith-based and community organizations that statutorily qualify as eligible applicants under OVW programs, are invited and encouraged to apply for assistance awards to fund eligible grant activities. Faith-based and community organizations will be considered for awards on the same basis as other eligible applicants and, if they receive assistance awards, will be treated on an equal basis with all other grantees in the administration of such awards. No eligible applicant or grantee will be discriminated against on the basis of its religious character or affiliation, religious name, or the religious composition of its board of directors or persons working in the organization.

Faith-based and community organizations are required to abide by the same regulations and requirements specifically associated with the program under which you were awarded a grant as any other agency awarded funding.

The federal Department's Office on Violence Against Women (OVAW) administers the STOP Program according to the following statutory formula (as amended by VAWA 2005):

- ❖ 5% of STOP funds for grants to Indian tribal governments
- ❖ 2.5% of STOP funds for grants to state and tribal domestic violence coalitions

- ❖ 2.5 % of STOP funds for grants to state and tribal sexual assault coalitions
- ❖ Each state receives a base amount of \$600,000 and
- ❖ Remaining funds are distributed to each state based on population in the amount that bears the same ratio to the amount of remaining funds as the population of the state bears to the population of all the states (not including Indian tribes).

The STOP Violence Against Women Formula Grant Program (**CFDA # 16.588**) promotes a coordinated, multidisciplinary approach to improving the criminal justice system’s response to violence against women (**and men who are victims of domestic violence, sexual assault or stalking**). This approach envisions a partnership among law enforcement, prosecution, the courts; victim advocates and service providers to ensure victim safety and offender accountability.

Authorized through the Violence Against Women Act, set out in Title IV of the Violent Crime Control and Law Enforcement Act of 1994, Pub. L. 103-322, 108 Stat. 1796, the STOP Program is administered by the Violence Against Women Grants Office, Office of Justice Programs, U.S. Department of Justice. The Victims of Trafficking and Violence Protection Act of 2000 included provisions to reauthorize and strengthen the Violence Against Women Act.

The STOP Violence Against Women Grant was established to aid state and local governments and non-profit organizations in the development of violence prevention programs that serve women.

Grant funds may be used to develop and implement effective law enforcement and prosecution strategies to combat violent crimes against women and to develop and enhance victim services in cases involving violent crimes against women.

The Office of Criminal Justice Programs in the Tennessee Department of Finance and Administration has been designated as the state agency responsible for administering this grant program in Tennessee.

This Guide incorporates by reference the provisions of the Office of Management and Budget (OMB) circulars and government-wide common rules applicable to grants and cooperative agreements. These circulars and common rules include the following:

Circulars and Common Rules

<p>OMB CIRCULARS: Administrative Requirements:</p>	
<p><u>OMB Circular A-102</u></p>	<p>“Grants and Cooperative Agreements with State and Local governments,” revised October 7, 1994.</p>
<p><u>OMB Circular A-110</u></p>	<p>“Uniform Administrative Requirements for Grants and Agreements With Institutions of Higher Education, Hospitals and Other Non-Profit Organizations,” November 19, 1993 (codified at 28 CFR Part 70).</p>

Cost Principles:	
<u>OMB Circular A-21</u>	“Cost Principles for Educational Institutions,” revised April 26, 1996 (codified at 28 CFR Part 66 by reference).
<u>OMB Circular A-87</u>	“Cost Principles for State, Local, and Indian Tribal Governments,” revised May 4, 1995 (codified at 28 CFR Part 66, by reference).
<u>OMB Circular A-122</u>	“Cost Principles for Nonprofit Organizations” revised May 8, 1997 (codified at 28 CFR Part 66, by reference).
Audit Requirements:	
<u>OMB Circular A-133</u>	“Audits of State, Local Government and Nonprofit Institutions,” revised June 30, 1997 (codified at CFR Part 66 & Part 70). http://www.whitehouse.gov/OMB/grants/index.html

GOVERNMENT-WIDE COMMON RULES:
<p>“Uniform Administrative Requirements for Grants and Cooperative Agreements with State and Local Units of Government,” dated March 11, 1988 (codified at 28 CFR Part 66). (Grants Management Common Rule for State and Local Units of Governments)</p> <p>“Government-wide Debarment and Suspension (Nonprocurement) and Government-wide Requirements for Drug-free Workplace (Grants)”(codified at 28 CFR Part 67.)</p> <p>“New Restrictions on Lobbying” (Codified at 28 CFR Part 69).</p>

For additional information on grants management and to obtain copies of current circulars and common rules, please visit the OMB website: www.whitehouse.gov/OMB/grants/index.html.

Reference: U.S. Department of Justice, Office of Justice Programs, Office of the Comptroller, Financial Guide Web Address: <http://www.ojp.usdoj.gov/finguide/>

CHAPTER I ELIGIBLE SUBRECIPIENTS

- A. Eligible subrecipients for federal STOP Violence Against Women funding include:
1. State Agencies
 2. Units of Local Government
 3. Non-profit Organizations
 4. Faith-based and Community Organizations
- B. Tennessee, as all states, must allocate STOP Violence Against Women funding within the parameters of the Act as follows:
1. 25% to support law enforcement programs
 2. 25% to support prosecution programs
 3. 30% to support nonprofit, nongovernmental victim services programs
 4. 5% to support court programs.
 5. 15% to further support law enforcement, prosecution, court or victim services programs, at the state's discretion, to eligible agencies

Statutory Definitions Under 42 U.S. C –3796gg-1-(c)(3)

Law Enforcement – a public agency charged with policing functions, including any of its component bureaus (such as governmental victim services programs).

Prosecution – any public agency charged with direct responsibility for prosecuting criminal offenders, including such agency's component bureaus (such as governmental victim services programs).

Victim Services – a nonprofit, nongovernmental organization that assists domestic violence, dating violence, sexual assault, or stalking victims, including rape crisis centers, domestic violence shelters, faith-based organizations, and other organizations, with a documented history of effective work concerning domestic violence, dating violence, sexual assault, or stalking.

Courts – any civil or criminal, tribal, and Alaskan Village, Federal, State, local or territorial court having jurisdiction to address domestic violence, dating violence, sexual assault or stalking, including immigration, family, juvenile, and dependency courts, and the judicial officers serving in those courts, including judges, magistrate judges, commissioners, justices of the peace, or any other person with decision-making authority.

CHAPTER II

STOP PROGRAM PURPOSE AND REQUIREMENTS

A. PROGRAM PURPOSE

The purpose of the STOP Violence Against Women Grant Program is to assist state agencies, units of local government, and nonprofit **or faith-based and community** organizations in carrying out specific projects which offer a high probability of improving the functioning of the criminal justice system. This grant program provides funding for projects which assist organizations in their efforts to reduce violence against women focused on domestic violence, sexual assault and stalking.

The overriding objective of this funding continues to be the implementation of comprehensive strategies that are sensitive to the needs and safety of victims and hold offenders accountable for their crimes.

In general, grants under this program may support personnel, training, technical assistance, evaluation, data collection, and equipment costs to enhance the apprehension, prosecution, and adjudication of persons committing violent crimes against women.

B. PROGRAM REQUIREMENTS AND CERTIFICATIONS

The intent of the STOP Violence Against Women Grant Program is to provide criminal justice assistance to state agencies, local units of government, and non-profit organizations. The Department of Justice has defined a unit of local government as a general purpose political subdivision of a state, such as a city or county. The definition for victim services providers under this grant is a nonprofit, governmental or non-governmental organization that assists domestic violence or sexual assault victims through the legal process. Examples include rape crisis centers and battered women's shelters. Grants from this program can only be awarded to state agencies, local units of government and nonprofit organizations so defined.

States must certify annually that all out-of-pocket costs of forensic medical examinations for victims of sexual assault will be paid by the State, a unit of local government, or another governmental entity. States must also certify annually that victims of domestic violence are exempt from paying the costs associated with filing criminal charges or issuing or serving a warrant, protection order, or witness subpoena in connection with the prosecution of a felony or misdemeanor domestic violence offense. Programs must be aware of these assurances and ensure that they continue to be operationalized locally.

The Violence Against Women and Department of Justice Reauthorization Act of 2005 adds two additional certification requirements to the STOP program: 1) applicants must certify that their judicial policies and practices include notification to domestic violence offenders of federal gun control laws related to domestic violence and any related federal, state, or local laws, and 2) applicants must certify that their laws, policies and practices ensure that victims of alleged sex offenses will not be asked to submit to a polygraph examination as a condition for proceeding with the investigation of the offense. See Attachment I - Certification of Compliance with the Statutory Eligibility Requirements of the Violence Against Women Act, as amended).

1. The Department of Justice has identified eleven (11) purpose areas under which sub-grants may be funded. Programs must address one or more of the following eleven purpose areas:
 - a. Training law enforcement officers and prosecutors to more effectively identify and respond to violent crimes against women, including sexual assault and domestic violence;
 - b. Developing, training, or expanding specialized units of law enforcement officers and prosecutors targeting violent crimes against women, including sexual assault and domestic violence;
 - c. Developing and implementing more effective police and prosecution policies, protocols, orders, and services specifically dedicated to preventing, identifying, and responding to violent crimes against women, including sexual assault and domestic violence;
 - d. Developing, installing, or expanding data collection and communication systems, including computerized systems that link police, prosecutors, and courts or that are designed to identify and track arrests, protection orders, violations of protection orders, prosecutions, and convictions for violent crimes against women, including sexual assault and domestic violence;
 - e. Developing, enlarging, or strengthening victim service programs, including sexual assault and domestic violence programs; developing or improving delivery of victim services to racial, cultural, ethnic, and language minorities; providing specialized domestic violence advocates in courts where a significant number of protection orders are granted; and increasing reporting and reducing attrition rates for cases involving violent crimes against women, including sexual assault and domestic violence;
 - f. Developing, enlarging, or strengthening programs addressing stalking;
 - g. Developing, enlarging, or strengthening programs addressing the needs and circumstances of Indian tribes in dealing with violent crimes against women, including sexual assault and domestic violence.
 - h. Supporting formal and informal statewide, multidisciplinary efforts to coordinate the response of law enforcement, prosecution, courts, and victim services to sexual assault, domestic violence, dating violence, and stalking.
 - i. Training sexual assault forensic medical personnel examiners
 - j. Developing, enlarging, or strengthening programs to assist law enforcement, prosecutors, courts, and victim services to address and recognize the needs and circumstances of older and disabled individuals who are victims of domestic violence and sexual assault.
 - k. Providing assistance to victims of domestic violence and sexual assault in immigration matters.

NOTE: STOP funds are intended to foster more widespread apprehension, prosecution and adjudication of perpetrators of violent crimes against women through the criminal justice system. In addition to the clear criminal purposes for which the Violence Against Women Act was intended, funding for civil justice assistance is allowable, but it is limited by the Omnibus Crime Control and Safe Streets Act of 1968, as amended by the Violence Against Women Act, to situations that bear directly and substantially upon criminal justice matters or are inextricably intertwined with criminal justice matters. Since it is consistent with the overall intent of the statute, legal assistance to victims attempting to obtain civil protection orders may be supported.

2. Agencies must comply with Tennessee Code Annotated, Section 31-1-403 and 37-1-605 by reporting suspected cases of child abuse to the Department of Children's Services and with Tennessee Code Annotated 71-6-103 by reporting cases of adult abuse to the Department of Human Services as required by law.

In order for **law enforcement** agencies to qualify for grant funds, the agency must comply with the following:

- a. Fingerprint Reporting Requirement. The Agency shall ensure that they will comply with Tennessee Code Annotated (TCA) 38-3-122 and will submit all fingerprints taken to the Tennessee Bureau of Investigation (TBI).
 - b. TIBRS Reporting Requirement. The Agency shall ensure that they will comply with Tennessee Code Annotated (TCA) 38-10-101 et seq. and will submit crime statistics using the Tennessee Incident Based Reporting System (TIBERS) to the Tennessee Bureau of Investigation (TBI).
3. All sub-recipients must forward to the Office of Criminal Justice Programs any written policies they have prohibiting the disclosure of a victim's name, address, telephone number, or any other identifying information without the prior voluntary written consent of the victim.

C. PROGRAM PRIORITIES

1. The overriding objective of the STOP Program continues to be the implementation of programs sensitive to the needs and safety of victims while holding offenders accountable for their crimes.
2. To achieve this objective Tennessee will continue to build and strengthen collaborations with existing partners, as well as forging new partnerships. Program Guidelines from the Violence Against Women Office encourage states to support projects that will:
 - a. Strengthen enforcement of protection orders within and among states;
 - b. Address sexual assault through expansion of services, development and implementation of protocols, and education and training programs for law enforcement, prosecution, and the judiciary;
 - c. Encourage the judiciary to engage in problem solving approaches that require active judicial participation;
 - d. Strengthen the response of pre-trial agencies in cases involving violence against women, including setting pre-trial release conditions that are based on victim input and safety;

- e. Develop and enhance the efforts of probation and parole agencies to monitor and control the perpetrators of violence against women to maximize victim safety and offender accountability;
- f. Strengthen enforcement of existing stalking laws by aggressively investigating, prosecuting and adjudicating these crimes;
- g. Implement community-driven initiatives to address the needs of traditionally underserved populations;
- h. Coordinate the efforts of all relevant justice agencies to leverage the coercive power of the criminal justice system to influence offenders' behavior; and
- i. Increase the number and type of judicial education and court-related projects.

CHAPTER III REPORTING REQUIREMENTS

A. REPORTING REQUIREMENTS

All subrecipients are responsible for periodic reporting of output and outcome data on their projects to OCJP. Reporting requirements for STOP subrecipients include **mid-year Semi-annual Output** and Outcome Reporting, **year-end Output** and Outcome Reporting and Policy 03 Quarterly Expense and Revenue Report (Non-Profit Agencies Only) or Quarterly Program Income Summary Report (if program income earned), Project Equipment Report (if equipment was purchased) and an Invoice for Reimbursement form. These reports are used to monitor projects, fulfill federal grant reporting requirements, provide information for state strategies and implementation plans, assist OCJP in determining project success and funding allocations, request reimbursement or close out a grant. **Examples of each form are provided in the Appendices of this manual. Forms may be reproduced locally, but should maintain the original format and content.**

NOTE: The subrecipient is required to gather and maintain statistical data relating to grant project activities as required by the Office of Criminal Justice Programs. The data collected should support the information submitted on the semi-annual and annual reports. OCJP may periodically request to see the back-up data that supports the information submitted on your semi-annual outcome and annual output and outcome reports.

The Project Director is responsible for timely submission of completed **program and fiscal** reports. **Note: Inability to submit required reports in a timely fashion is considered failure of a required contract obligation.**

1. **Mid-Year Semi-Annual Outcome Reporting : outcome reporting** is required of all subrecipients at mid-year. The Semi-annual Outcome Report covers the period **July 1st through December 31st**. Outcomes are benefits resulting for the participants from the program activities. OCJP is interested in collecting project outcome data based on the “core outcomes” by project type. Core Outcome Indicators and Recommended Measures and Data Collection Methods are included in [Appendix E](#). Sample Client Surveys are included in [Appendix F](#). The Semi-annual Outcome report will be available through our website at www.state.tn.us/finance/rds/ocjp.htm and should be submitted to OCJP by January 31st
2. **Year-End Semi-Annual Outcome Reporting:** The **year-end outcome reporting** is required at the end of each contract year. The Annual Outcome Report covers the period of **January 1st through June 30th**. The Annual Outcome Report will be available through our website at www.state.tn.us/finance/rds/ocjp.htm and should be submitted to OCJP by July 31st.
3. **Mid-Year Semi-Annual Output Reporting: Output reporting is required of all subrecipients at mid-year. The Semi-annual Output Report covers the period July 1st through December 31st. Outputs are counts of activities and a measure of work accomplished by the program. The Semi-Annual**

Output Report is included in Appendix B. The Mid-year Semi-Annual Output Report will be available on our website at <http://www.state.tn.us/finance/rds/ocjp.htm>

4. **Year-end Semi-Annual Output Report:** This output form focusing on grant activities is required by the Department of Justice and is used for reporting progress annually of all grant-funded activities. **(OCJP will assume responsibility for combining both your Mid-year and Year-end output reports to submit this data to the Department of Justice).** The reporting period for the year-end Semi-Annual Report is **January 1st through June 30th.** See [Appendix B](#). The Year-end Semi-Annual Output Report will be available on our website at <http://www.state.tn.us/finance/rds/ocjp.htm>
5. **Community and/or Collaborator Surveys:** (as required based on your program type) cover the period **July 1st through June 30th.** The Community and Collaborator Survey Reports should be reported annually to OCJP by July 31st. See [Appendix F](#)

NOTE: Subrecipient programs are not required to use client surveys to collect required **core outcome data**, but they are required to provide data addressing the core outcome indicators and measures for your specific project type, using a standard five-point scale **(Strongly Agree to Strongly Disagree)** for all client feedback and satisfaction data. **Subrecipients should not change the substance of the core outcome measures.** Subrecipient agencies may also choose to use other available data sources to further validate and verify subrecipient data i.e. exit interviews, case notes, focus groups, staff observation, etc. **NOTE: Data based on staff observations should be submitted as supplemental information and NOT included with client feedback data.**

Data may be collected on the required **satisfaction** measures separately from participant outcome data in order to assure confidentiality. If a separate process is used to collect data on the required satisfaction measures, that process must be separately described in the logic model project narrative. See **Appendix H, Rules/Guidelines for OCJP Required Data Collection.**

6. **Projected Output Report:** Projecting outputs is a requirements of all subrecipients at the beginning of each contract year. Subrecipients are asked to project the number of outputs to be achieved during the upcoming contract year. Projected output reports should be submitted by July 31st for the upcoming contract period July – June. The data will assist OCJP in evaluating the planned versus actual activities funded through the grant.

STOP Violence Against Women Reporting Schedule

The Office of Criminal Justice Programs, William R. Snodgrass Tennessee
Tower, 312 8th Avenue North, Nashville, Tennessee 37243-1700

REPORT	REPORTING PERIOD	SUBMIT TO OCJP
Mid-Year Semi-Annual Output Rpt. Year-end Semi-Annual Output Rpt. (DOJ Progress Report)	July 1 st – December 31st January 1 st – June 30th	OCJP Program Manager assigned to your agency on January 31 st and July 31 st
Mid-year Semi-Annual Outcome Rpt. Year-end Semi-Annual Outcome Rpt.	July 1 st – December 31st January 1 st – June 30th	OCJP Online Reporting January 31 & July 31 st
<u>Policy 03 Quarterly Expense and Revenue Report (Non Profit Agencies Only)</u>	Quarterly for Period Ending September December March June	OCJP Fiscal Manager October 15th January 15th April 15th July 30 th
<u>OCJP Quarterly Program Income Summary Report, if applicable (All subrecipients EXCEPT Non-Profit Agencies)</u>	Quarterly for Period Ending September December March June	OCJP Fiscal Manager October 15th January 15th April 15th July 30 th
<u>Project Equipment Summary Report, if applicable</u>	Contract Period (July to June)	July 31 st
<u>Projected Output Report</u>	Upcoming Contract Period July to June	July 31 st
<u>F & A Invoice for Reimbursement</u>	Monthly	Office of Business and Finance 20th Floor Wm. Snodgrass Tennessee Tower 312 8th Avenue North, Nashville, TN. 37243-1700 e-mail: OCJP INVOICE@state.tn.us

CHAPTER IV ALLOWABLE COSTS

A. ALLOWABLE COSTS

STOP funding may be used by the subrecipient for personnel, training, technical assistance, evaluation, data collection and equipment costs to enhance the apprehension, prosecution and adjudication of persons committing violent crimes against women. Children's services must be inextricably linked to providing services to victims of domestic violence. For example, STOP funds may support the expansion of shelter services for battered women to include programs for their children.

Allowable costs are those cost principles identified in the OMB Circular A-87 for State and Local Governments and OMB Circular A-122 for Non-Profit Organizations and in the grant program's authorizing legislation. In addition, costs must be reasonable, allocable, necessary to the project, and comply with the funding statute requirements.

See OCJP Administrative Manual, [Chapter XIV](#)-Allowable Costs

CHAPTER V UNALLOWABLE COSTS

A. UNALLOWABLE COSTS

1. STOP grant funds may **not** be used to support services for obtaining divorces. Divorces and legal separations are civil proceedings that fall outside the scope of the seven broad purposes for which STOP funds may be used.
2. STOP funds may **not** be used to support services that focus exclusively on children or to develop sexual assault or domestic violence prevention curricula for schools.
3. STOP funding may **not** support legal or defense services for perpetrators of violence against women. But they may support batterers' intervention programs, if the intervention is part of a graduated range of sanctions that use the coercive power of the criminal justice system to hold abusers accountable for their criminal actions and for changing their behavior.
4. STOP funding may **not** be used to support inherently religious activities.
5. STOP funding **cannot** be used to lease and/or purchase vehicles.
6. STOP funds **cannot** be used for renovations

See OCJP Administrative Manual, [Chapter XV](#)- Unallowable Costs

CHAPTER VI

PERFORMANCE MEASUREMENT AND DECISION-MAKING

A. Performance Measurement

1. The Office of Criminal Justice Programs, like all funders, wants to be a responsible steward of limited federal and state grant money. To accomplish this goal, OCJP works to assure that grants are awarded to agencies that can demonstrate they make a difference for clients. We have continually worked with our subrecipient agencies to provide them with the tools and experience they need to manage their operations and to demonstrate their accountability. **We recognize that the combination of output, outcome and satisfaction data comprise a best picture possible of an agency's performance.**
2. OCJP is interested in subrecipient agencies improving performance as well as quantifying their effort. It has been demonstrated that agencies that want to survive and flourish must make significant efforts to continually improve performance and to be able to prove it with verifiable measurements.
3. Although output data is important and will continue to be collected, used and submitted to our federal funders, outcome data has provided us with additional information related to the results of agency efforts on the clients the OCJP/subrecipient partnership serves. Outcome information describes some change in the participant's condition and establishes the benefits of the funding in measurable terms.
4. We recognize that there are basically three reasons for attending to client outcomes:
 - (a) **To Improve Program Performance** - Agencies exist to help clients find better lives. Agencies want clients safer, more informed, aware of their options and exercising better judgment. Subrecipient agencies need solid information about how well their clients are doing in order to continue improving the quality of their programs.
 - (b) OCJP and other funding sources must be in a position to make funding decisions:
 - When funds are available, funding agencies need information on results to decide which service models to support.
 - When funds are limited, funding agencies must be able to direct limited resources toward approaches known to work.
 - (c) **To Meet Federal Reporting Requirements.**
5. **Performance data can be used to monitor and measure individual program performance or aggregated by project type, the state and/or fund source.**

6. OCJP will continue to expect programs to use the logic model to describe how their grant-funded project theoretically works to benefit the target group. OCJP will also continue to collect and use **output** and outcome information as we manage our federal grants.
7. The data collected and reported by Tennessee subrecipients answer three questions:
 10. **OUTPUTS** - What are we doing?
 11. **SATISFACTION** - How well are we doing it?
 12. **OUTCOMES** - How is the client doing?
8. OCJP does not collect information with which to compare one program or project with another. However OCJP publishes data on our website by which any agency can compare their own data with data reported by like projects.

B. OCJP Decision-Making

1. OCJP conducts **Performance Management Reviews (PMR)** of each subrecipient contract annually. The performance review process consists of a detailed weighing system that provides a historical perspective of past and present subrecipient performance.
2. The PMR consists of the following criteria, based on a 100 point scale: (See [Appendix G](#))
 - (a) **Integrity of Program Design** – the logic model description of the program. **(15%)**
 - (b) **Reporting History** – compliance with output and outcome reporting requirements. **(15%)**
 - (c) **Program Performance** – considering compliance with victim and community/collaborator outcome measurement requirements; notification to OCJP of pertinent changes; history of spending; program manual understanding and overall program effectiveness. **(50%)**
 - (d) **Contract Monitoring** – ratings will examine program and fiscal findings. **(20%)**
3. OCJP will make funding/allocation decisions based on:
 - (a) Performance Management Review Ratings
 - (b) The funding priorities and requirements of the funding source
 - (c) Ensuring that funds are allocated across the state in a defensible and equitable manner.

Legislative Authority

Violence Against Women Formula Grants

(CFDA# 16.588)

AUTHORIZATION: Authorized through the Violence Against Women Act, set out in Title IV of the Violent Crime Control and Law Enforcement Act of 1994, Pub. L. 103-322, 108 Stat. 1796, the STOP Program is administered by the Violence Against Women Grants Office, Office of Justice Programs, U.S. Department of Justice. The Victims of Trafficking and Violence Protection Act of 2000 included provisions to reauthorize and strengthen the Violence Against Women Act. (VAWA 2000 and 2005).

OBJECTIVES: To assist States, Indian Tribal governments, and units of local government to develop and strengthen effective law enforcement and prosecution strategies to combat violent crimes against women, and to develop and strengthen victim services in cases involving crimes against women.

USE AND USE RESTRICTIONS: A State, Indian tribal government, or unit of local government shall not be entitled to funds under this program unless the State, Indian tribal government, or another governmental entity incurs the full out-of-pocket cost of forensic medical examinations for victims of sexual assault. Further, a State, Indian tribal government, or unit of local government shall not be entitled to funds under this program unless it:

- (1) certifies that its laws, policies, and practices do not require, in connection with the prosecution of any misdemeanor or felony domestic violence offense, that the victim bear the costs associated with the filing of criminal charges against the domestic violence offender, or the costs associated with the issuance or service of a warrant, protection order, and/or witness subpoena; or
- (2) assures that its laws, policies and practices will be in compliance with this requirement by the date on which the next session of the State legislature ends or September 13, 1996, whichever is later. Funds withheld from a State or unit of local government because it does not meet this requirement shall be distributed to other States or local units of government on a pro rata basis. Funds withheld from an Indian tribal government for this reason shall be distributed to other Indian tribal governments on a pro rata basis.

Grants shall provide personnel, training, technical assistance, data collection and other equipment for widespread apprehension, prosecution, and adjudication of persons committing violent crimes against women. States must certify that a minimum of 25 percent of each year's grant award (75 percent total) will be allocated to each of the following areas: prosecution, law enforcement, and victim services.

Matching Requirements: The Federal share of these grants may not exceed 75 percent of the total costs of the projects described in the applications. States may satisfy this 25 percent match through in-kind services. Indian tribes that are subgrantees of a State under this program may meet the 25 percent matching requirement for this program by using funds appropriated by Congress for the activities of any agency of an Indian tribal government or for the activities of the Bureau of Indian Affairs performing law enforcement functions on any Indian lands. All funds designated as match are restricted to the same uses as the Violence Against Women Program funds.

ELIGIBILITY REQUIREMENTS:

Applicant Eligibility: All States, Commonwealths, territories and possessions of the United States, as well as the District of Columbia, are eligible. For the purposes of this program, American Samoa and the Commonwealth of the Northern Mariana Islands shall be considered as one State, and, for these purposes, 67 percent of the amounts allocated shall be allocated to American Samoa and 33 percent to the Commonwealth of the Northern Mariana Islands. Funds will be subgranted to units of local government, nonprofit nongovernmental victim services programs, and Indian tribal governments.

Beneficiary Eligibility: State and local units of government, nonprofit nongovernmental victim services programs, and Indian tribal governments.

Credentials/Documentation: Costs will be determined in accordance with OMB Circular No. A-87 for State and local governments, and OMB Circular No. A-21 for Institutions of Higher Education, Hospitals and OMB Circular No. A-122 for Other Nonprofit Organizations.

STOP SEMI-ANNUAL REPORT'S

[B.1. STOP Mid-year and Year-end Output Reports \(DOJ Progress Report\)](#)

[B.2. STOP Progress Report Form Instructions](#)

[B.3. Projected Output Report](#) (New)

STOP BUDGET REVISION REQUEST

<http://www.state.tn.us/finance/rds/manuals.htm>

After web page opens please scroll to the bottom of the screen to locate the appropriate fund source and click **STOP**.

For PRINTED VERSIONS you will need to type the above referenced web site address in your internet explorer address box. Click "Go". Then follow the instructions above this paragraph.

PROJECT NARRATIVE LOGIC MODEL

Click the link below to be taken to the Project Narrative Logic Model

<http://www.state.tn.us/finance/rds/logic.pdf>

After arriving at the web page scroll down to the approximate center of the page. The surveys are listed by Outcome Measure. Click on the appropriate name to see the survey then click print.

PRINTED VERSIONS will need to type the above referenced web site address in their internet explorer address box. Click "Go" and follow the instructions listed above.

***CORE* Outcome Indicators with *Required* Measures
and Data Collection Methods
for STOP, VOCA and Family Violence Agencies**

Click the link below to be taken to the CORE Outcome Indicators with Required Measures and Data Collection Methods.

<http://www.state.tn.us/finance/rds/coreout.pdf>

After arriving at the web page scroll down to the approximate center of the page. The surveys are listed by Outcome Measure. Click on the appropriate name to see the survey then click print.

PRINTED VERSIONS will need to type the above referenced web site address in their internet explorer address box. Click "Go" and follow the instructions listed above.

Victim and Community/Collaborator Surveys

Click the link below to be taken to the Victims Services Surveys:

<http://www.state.tn.us/finance/rds/victimshomepage.htm>

After arriving at the web page scroll down to the approximate center of the page. The surveys are listed by Outcome Measure. Click on the appropriate name to see the survey then click print.

PRINTED VERSIONS will need to type the above referenced web site address in their internet explorer address box. Click "Go" and follow the instructions listed above.

VICTIM SERVICES CONTRACT PERFORMANCE REVIEW PROCESS

Click the link below to be taken to the Contract Performance Review Process

<http://www.state.tn.us/finance/rds/PMR.pdf>

After arriving at the web page scroll down to the approximate center of the page. The surveys are listed by Outcome Measure. Click on the appropriate name to see the survey then click print.

PRINTED VERSIONS will need to type the above referenced web site address in their internet explorer address box. Click "Go" and follow the instructions listed above.

RULES/GUIDELINES FOR OCJP – REQUIRED DATA COLLECTION

Click the link below to be taken to the Rules/Guidelines for OCJP – Required Data Collection:

<http://www.state.tn.us/finance/rds/datacoll07.pdf>

For PRINTED VERSIONS you will need to type the above referenced web site address in your internet explorer address box. Click “Go.”

Attachment I



**STATE OF TENNESSEE
DEPARTMENT OF FINANCE AND ADMINISTRATION
RESOURCE DEVELOPMENT AND SUPPORT
OFFICE OF CRIMINAL JUSTICE PROGRAMS
WILLIAM R. SNODGRASS TENNESSEE TOWER
SUITE 1200 312 8th AVENUE NORTH
NASHVILLE, TENNESSEE 37243-1700
(615) 741-7662
FAX (615) 532-2989**

**DAVE GOETZ
COMMISSIONER**

Certification of Compliance with the Statutory Eligibility Requirements of the Violence Against Women Act as Amended

Applicants should refer to the regulations cited below to determine the certifications to which they are required to attest. Applicants should also review the instructions for certification included in the program regulations before completing this form. Signature on this form certifies that the subrecipient is qualified to receive the funds and provides for compliance with relevant requirements under 28 CFR Part 90 “Rape Payment Requirement” and “Filing Costs for Criminal Charges.” The certifications shall be treated as a material representation of fact upon which the Department of Justice and the Office of Criminal Justice Programs will rely when it determines to award the covered transaction, grant, or cooperative agreement.

Any subrecipient shall be qualified for funds provided under the Violence Against Women Act upon certification that:

- (1) the funds will be used only for the purposes described in 42 U.S.C., 3796gg(b) under the “Grants to Combat Crime Against Women” program authority;

In addition, as required by Sections 2005 and 2006 of Title IV of the Violent Crime Control and Law enforcement Act of 1994, Pub. L. 103-322 (September 13, 1994), which, in part, amends the Omnibus Crime Control and Safe Streets Act of 1968, as amended, 42 U.S.C. 3711 et seq. (by adding a new “Part T” Part T comprises Sections 2001 through 2006, codified at 42 U.S.C. 3796gg through 3796gg-5), and implemented at 28 CFR Part 90., for persons entering into a grant or cooperative agreement, as defined at 28 CFR Part 90, the application certifies that:

(1) Forensic medical Examination Payment Requirement for Victims of Sexual Assault

- (a) The subrecipient incurs the full out-of-pocket costs of forensic medical exams for victims of sexual assault.
- (b) Exams to victims are provided free of charge to the victims;
- (c) Arranges for victims to obtain such exams free of charge to the victims; and
- (d) The subrecipient provides information at the time of the exam to all victims, including victims with limited or no English proficiency, regarding how to obtain reimbursement. Section 2005 (b), codified at 42 U.S.C. 3796gg-4(b.)
- (e) Grantees can use STOP funds to pay for exams by a trained examiner if they do not require victims to seek reimbursement from insurance, and

(f) Grantees cannot require that victims participate in the criminal justice system as a condition for exam payment

1

**Certification of Compliance with the Statutory Eligibility Requirements
of the Violence Against Women Act as Amended (Continued)**

(2) Filing Costs for Criminal Charges

- (a) A subrecipient will not be entitled to funds unless it
- (1) certifies that its laws, policies and practices do not require, in connection with the prosecution of any misdemeanor or felony domestic violence offense, or in connection with the filing, issuance, registration, or service of a protection order or a petition for a protection order, to protect a victim of domestic violence, stalking, or sexual assault, that the victim bear the costs associated with the filing of criminal charges against the offender, or the costs associated with the issuance, registration, or service of a warrant, petition for protection order, or witness subpoena, whether issued inside or outside the state or local jurisdiction.

(3) Gun Control Laws Related to Domestic Violence

- (a) certifies that its judicial policies and practices include notification to domestic violence offenders of federal gun control laws related to domestic violence and any related federal, state or local laws.

(4) Polygraph Examination for Victims of Alleged Sexual Offenses

- (a) certifies that its laws, policies, and practices will ensure that victims of alleged sex offenses will not be asked to submit to a polygraph examination as a condition for proceeding with the investigation of the offense.

I certify that I have read and am fully cognizant of our duties and responsibilities under this Certification.

(Please check)

"The Authorized Official certifies that to the best of his or her knowledge and belief that the information contained in this certification is correct and in accordance with the requirements of the application guidelines. The Authorized Official also certifies that the person named below is either the person legally responsible for committing the applying agency to this certification, or is executing this certification with the informed consent of the authorizing person (named and described in section 8 of attachment A)."

Name, Title and address of certifying designee:
(IF DIFFERENT FROM AUTHORIZED OFFICIAL)

Name

Title

Address/Phone

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VOCA INTRODUCTION

This document is provided for use by all subrecipient staff receiving federal grant funds from the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, Victims of Crime Act Formula Grant program administered by the Tennessee Office of Criminal Justice Programs (OCJP). This guide is to serve as reference for the financial and programmatic requirements/responsibilities of projects funded through the Victims of Crime Act Grant Program.

This guide is not intended to replace more detailed technical assistance available from the OCJP Program Manager assigned to your project. Subrecipient staff are encouraged to address questions or concerns regarding the subject matter in this guide or other issues to your OCJP Program Manager.

VICTIMS OF CRIME ACT (VOCA) (CFDA#16.575)

In 1984, VOCA established the Crime Victims Fund in the U.S. Treasury and authorized the Fund to receive deposits of fines and penalties levied against criminals convicted of federal crimes. The Department of Justice is responsible for the distribution of the funds, which are collected by U.S. Attorney's Offices, U.S. Courts, and the U.S. Bureau of Prisons. This Fund provides the source of funding for all activities authorized by VOCA.

The purpose of the Victims of Crime Act (VOCA) is to provide high quality services that directly improve the health and well being of victims of crime with priority given to victims of child abuse, domestic violence, sexual assault and services for previously underserved victims.

The Office for Crime Victims (OVC) makes annual VOCA crime victim assistance grants from the Fund to states. The primary purpose of these grants is to support the provision of services to victims of crime throughout the nation. For the purpose of these Programs Guidelines, services are defined as those efforts that:

1. respond to the emotional and physical needs of crime victims;
2. assist primary and secondary victims of crime to stabilize their lives after victimization;
3. assist victims to understand and participate in the criminal justice system, provide victims of crime with a measure of safety and security such as boarding up broken windows and replacing or repairing locks.

The governor of each state designates the state agency that will administer the VOCA victim assistance grant program. In Tennessee, the Department of Finance and Administration, Office of Criminal Justice Programs is the administering agency. The designated agency establishes policies and procedures. VOCA funds granted to the states are to be used by eligible public and private nonprofit organizations to provide direct services to crime victims. States have sole

discretion for determining which organizations will receive funds, and in what amounts, as long as the subrecipients meet the requirements of VOCA.

This Guide incorporates by reference the provisions of the Office of Management and Budget (OMB) circulars and government-wide common rules applicable to grants and cooperative agreements. These circulars and common rules include the following:

Reference: [U.S. Department of Justice, Office of Justice Programs, Office of the Comptroller, Financial Guide](http://www.ojp.usdoj.gov/FinGuide/). Web address: <http://www.ojp.usdoj.gov/FinGuide/>

Circulars and Common Rules

OMB CIRCULARS:	
Administrative Requirements:	
OMB Circular A-102	"Grants and Cooperative Agreements with State and Local governments," revised October 7, 1994
OMB Circular A-110	"Uniform Administrative Requirements for Grants and Agreements With Institutions of Higher Education, Hospitals and Other Non-Profit Organizations," November 19, 1993 (codified at 28 CFR Part 70).
Cost Principles:	
OMB Circular A-21	"Cost Principles for Educational Institutions," revised April 26, 1996 (codified at 28 CFR Part 66 by reference).
OMB Circular A-87	"Cost Principles for State, Local, and Indian Tribal Governments," revised May 4, 1995 (codified at 28 CFR Part 66, by reference).
OMB Circular A-122	"Cost Principles for Nonprofit Organizations" revised May 8, 1997 (Codified at 28 CFR Part 66, by reference)
Audit Requirements:	
OMB Circular A-133	"Audits of State, Local Government and Nonprofit Institutions," revised June 30, 1997 (codified at CFR Part 66 & Part 70). http://www.whitehouse.gov/OMB/grants/index.html

GOVERNMENT-WIDE COMMON RULES:
"Uniform Administrative Requirements for Grants and Cooperative Agreements with State and Local Units of Government," dated March 11, 1988 (codified at 28 CFR Part 66). (Grants Management Common Rule for State and Local Units of Governments)
"Government-wide Debarment and Suspension (Nonprocurement) and Government-wide Requirements for Drug-free Workplace (Grants)"(codified at 28 CFR Part 67.)
"New Restrictions on Lobbying" (Codified at 28 CFR Part 69).

For additional information on grants management and to obtain copies of current circulars and common rules, please visit the OMB website at www.whitehouse.gov/OMB/grants/index.html.

Reference: U.S. Department of Justice, Office of Justice Programs, Office of the Comptroller, [Financial Guide](#)
 Web Address:<http://www.ojp.usdoj.gov/finguide>

CHAPTER I

VOCA ELIGIBLE SUBRECIPIENTS

VOCA specifies that an organization must provide services to crime victims and be operated by a public agency or nonprofit organization, or a combination of such agencies or organizations in order to be eligible to receive VOCA funding. Eligible organizations include victim services organizations whose sole mission is to provide services to crime victims. In addition to victim service organizations, whose sole purpose is to serve crime victims, there are many other public and nonprofit organizations with components that offer services to crime victims. These organizations are eligible to receive VOCA funds, if the funds are used to expand or enhance the delivery of crime victims' services. Organizations such as this include, but are not limited to the following:

- A **Criminal Justice Agencies** such as law enforcement organizations, prosecutors' offices, courts, corrections departments, and probation and paroling authorities are eligible to receive VOCA funding to help pay for victims' services
- B **Religiously-Affiliated Organizations** receiving VOCA funds must ensure that services are offered to all crime victims without regard to religious affiliation and that the receipt of services is not contingent upon participation in a religious activity or event. **Faith based and community organizations are required to abide by the same regulations and requirements specifically associated with the program under which you were awarded a grant as any other agency awarded funding.**
- C **State Crime Victim Compensation.** Compensation programs, including both centralized and decentralized programs, may receive VOCA assistance funds if they offer direct services to crime victims that extend beyond the essential duties of compensation staff such as claims investigations, distribution of information about compensation and referral to other sources of public and private assistance. Such services would include assisting victims in identifying and accessing needed services and resources.
- D **Hospital and Emergency Medical Facilities** must offer crisis counseling, support groups, and/or other types of victim service. VOCA funds may be awarded to a medical facility for the purpose of performing forensic examinations on sexual assault victims if (1) the examination meets the standards established by the state, local prosecutor's office, or statewide sexual assault coalition, and (2) appropriate crisis counseling and/or other types of victim services are offered to the victim in conjunction with the examination.
- E **Others state and local public agencies** such as mental health service organizations, state/local public child and adult protective services, state grantees, legal services agencies and programs with a demonstrated history of advocacy on

behalf of domestic violence victims, and public housing authorities that have components specifically trained to serve crime victims.

CHAPTER II

VOCA PROGRAM PURPOSE & REQUIREMENTS

A. PROGRAM PURPOSE

The primary purpose of the Victims of Crime Act (VOCA) Grant Program is to support the provision of services to victims of crime throughout the state. The Victims of Crime Act (VOCA) assists public agencies and nonprofit organizations in carrying out specific projects related to direct victim services. Services, for the purpose of this grant, are defined as follows: those efforts that respond to the emotional and physical needs of crime victims, efforts that assist primary and secondary victims of crime to stabilize their lives after victimization, and those efforts that assist victims to understand and participate in the criminal justice system, provide victims of crime with a measure of safety and security such as boarding up broken windows and replacing or repairing locks.

B. PROGRAM REQUIREMENTS

The intent of the Victims of Crime Act (VOCA) Grant Program is to provide direct services to victims of crime. The Department of Justice has defined a unit of local government as a general purpose political subdivision of a state, such as a city or county. Grants from this program can only be awarded to organizations that are operated by public or nonprofit organizations, or a combination of such organizations, and provide direct services to crime victims. Programs must have the support and approval of its services by the community, a history of providing direct services in a cost-effective manner, and financial support from other sources.

VOCA establishes eligibility criteria that must be met by all organizations that receive VOCA funds. These funds are to be awarded to subrecipients only for providing services to victims of crime through their staff. Each subrecipient organization shall meet the following requirements:

1. **Public or Nonprofit Organizations.** Organizations must be operated by public or nonprofit organizations, or a combination of such organizations, and provide services to crime victims in order to receive VOCA funds.
2. **Record of Effective Services.** Programs must demonstrate a record of providing effective services to crime victims. This includes having the support and approval of its services by the community, a history of providing direct services in a cost-effective manner, and financial support from other sources.
3. **Volunteers.** Subrecipient organizations must use volunteers unless the state determines there is a compelling reason to waive this requirement. A “compelling reason” may be a statutory or contractual provision concerning liability or confidentiality of counselor/victim information, which bars using volunteers for certain positions, or the inability to recruit and maintain volunteers after a sustained and aggressive effort. All requests for waivers must be made in writing to OCJP providing specific details.

All supervision, background checks, training requirements, file documentation, etc. for volunteers providing direct services must be consistent with the agency policy for paid staff providing the same or similar direct service(s).

NOTE: Agencies using volunteers as an in-kind match for their VOCA grant must ensure the volunteer(s) are performing VOCA allowable activities.

4. **Promote Community Efforts to Aid Crime Victims.** Promote, within the community, coordinated public and private efforts to aid crime victims. Coordination may include, but is not limited to, serving on state, federal, local, or Native American task forces, commissions, working groups, coalitions, and/or multi-disciplinary teams. Coordination efforts also include developing written agreements that contribute to better and more comprehensive services to crime victims. Coordination efforts qualify an organization to receive VOCA victim assistance funds, but are not activities that can be supported with VOCA funds.
5. **Help Victims Apply for Compensation Benefits.** Such assistance may include identifying and notifying crime victims of the availability of compensation, assisting them documentation, and/or with application forms and procedures, obtaining necessary checking on claim status.

All victims who appear to be eligible must be notified of their right to apply for compensation from Criminal Injury Compensation. Documentation must be made in each case file indicating that the victim has or has not been informed of his/her right to file for compensation. If a client is not informed of his/her rights for compensation a valid reason must be documented in the case file. If a client is clearly not eligible for compensation, it must be documented in the case file along with a valid reason for non-eligibility. If there is any question relating to eligibility the client must be informed of his/her right to file for compensation.

All paid and volunteer staff, providing direct services to victims, must receive training on Criminal Injury Compensation once during each fiscal year. Training related to Criminal Injury Compensation must be documented in the grant file. Training may be provided by the Criminal Injury Compensation Program staff or staff within a subrecipient agency. In-house training should be based on the Tennessee Criminal Injury Compensation Program website and/or current pamphlets/information received from the Tennessee Criminal Injury Compensation Program, etc.

6. **Comply with Federal Rules Regulating Grants.** Subrecipients must comply with the applicable provisions of VOCA and the OCJP Administrative Manual which includes maintaining appropriate programmatic and financial records that fully disclose the amount and disposition of VOCA funds received. This includes: financial documentation for disbursements, daily time and attendance records specifying time devoted to allowable VOCA victim services, client files, the portion of the project supplied by other sources of revenue, job descriptions, contracts for services, and other records which facilitate an effective audit.
7. **Maintain Civil Rights Information.** Subrecipients must maintain statutorily required civil rights statistics on victims served by race, national origin, sex, age, and disability, within the timetable established by OCJP. Reasonable access to

the books, documents, paper, and records to determine whether the subrecipient is complying with applicable civil rights laws must be permitted.

8. **Comply with State Criteria.** Subrecipients must abide by any additional eligibility or service criteria as established by OCJP including submitting statistical and programmatic information on the use and impact of VOCA funds, as requested by OCJP.
9. **Services to Victims of Federal Crimes.** Victims of federal crimes must be provided services on the same basis as victims of state and local crimes.
10. **No Charge to Victims for VOCA Funded Services.** Services are provided to victims at no charge through any VOCA funded program. Any deviation from this requires prior approval by OCJP. The purpose of the VOCA victim assistance grant program is to provide services to all crime victims regardless of their ability to pay for services rendered or availability of insurance or other third-party payment resources. Crime victims suffer tremendous emotional, physical, and financial losses. It was never the intent of VOCA to exacerbate the impact of the crime by asking the victim to pay for services.
Subrecipients must ensure that they have the capability to track program income in accordance with federal financial accounting requirements. All VOCA funded program and match income, no matter how large or small, is restricted to the same uses as the VOCA grant. Program income can be problematic because of the required tracking systems needed to monitor VOCA funded income and ensure that it is used only to make additional services available to crime victims. For example: VOCA often funds only a portion of a counselor's time. Accounting for VOCA program income generated by this counselor is complicated, involving careful record keeping by the counselor, the subrecipient program, and OCJP.
11. **Client-Counselor and Research Information Confidentiality.** Subrecipients are to maintain confidentiality of client-counselor information as required by state and federal law.
12. **Confidentiality of Research Information.** Except as otherwise provided by federal law, no subrecipient of VOCA funds shall use or reveal any research or statistical information furnished under this program by any person to any specific private person for any purpose other than the purpose for which such information was obtained in accordance with VOCA. Such information shall be immune from legal process and shall not, without the consent of the person furnishing such information, be admitted as evidence or used for any purpose in any action, suit, or other judicial, legislative, or administration proceeding. These provisions are intended, among other things, to ensure the confidentiality of information provided by crime victims to counselors working for victim services programs receiving VOCA funds.

Whatever the scope of application given this provision, it is clear that there is nothing in VOCA or its legislative history to indicate that Congress intended to override or repeal, a state's existing law governing the disclosure of information which is supportive of VOCA's fundamental goal of helping crime victims. For example, this provision would not act to override or repeal, in effect, a state's existing law pertaining to the mandatory reporting of suspected child abuse.

Furthermore, this confidentiality provision should not be interpreted to thwart the legitimate informational needs of public agencies. For example, this provision does not prohibit a domestic violence shelter from acknowledging, in response to an inquiry by a law enforcement agency conducting a missing person investigation, that the person is safe in the shelter. Similarly, this provision does not prohibit access to a victim service project by a federal or state agency seeking to determine whether federal and state funds are being utilized in accordance with funding agreements.

13. **Comply With State Laws.** In order for law enforcement agencies to qualify for grant funds, the agency must comply with the following:
 - a. Fingerprints/UCR Reporting Requirement. The agency shall ensure that they will comply with Tennessee Code Annotated (TCA) 38-3-122, and will submit all fingerprints taken to the Tennessee Bureau of Investigation (TBI).
 - b. TIBRS Reporting Requirement. The agency shall ensure that they will comply with Tennessee Code Annotated (TCA) 38-10-101 et seq. and will submit crime statistics using the Tennessee Incident Based Reporting System (TIBRS) to the Tennessee Bureau of Investigation (TBI).
14. **Record Keeping.** The subrecipient must establish and maintain program records that assure project activities are in compliance with the approved project narrative. Such records must be readily available for review.
15. **Statutory Reporting.** Agencies must comply with Tennessee Code Annotated, *Section 37-1-403* and 37-1-605 by reporting suspected cases of child abuse to the Department of Children's Services and with Tennessee Code Annotated 71-6-103 by reporting cases of adult abuse to the Department of Human Services as required by law.

C. PROGRAM PRIORITIES

The Victims of Crime Act (VOCA) Grant Program identifies four (4) federal priority areas. They are as follows: domestic abuse, sexual assault, child abuse, and previously underserved populations. Applicants must choose one or more of these areas to address when requesting grant funds. Continuation applications must address the same purpose area as the previous grant award and demonstrate how the continuation application to be funded will achieve the goals and objectives of the proposal.

CHAPTER III

VOCA REPORTING REQUIREMENTS

All subrecipients are responsible for periodic reporting of output and outcome data on their projects to OCJP. Reporting requirements for VOCA subrecipients include:

- A. **U.S. Department of Justice Subgrant Award Report (SAR)**
- B. **Mid-year Semi-Annual Outcome Report**
- C. **Mid-year Semi-Annual Output Report**
- D. **Year-end Semi-Annual Outcome Report**
- E. **Year-end Semi-Annual Output Report**
- F. **Community and Collaborator Surveys**
- G. **Projected Outcome Report**
- H. **VOCA Year End Reconciliation Report**

These reports are used to monitor projects, fulfill federal grant reporting requirements, provide information for state strategies, assist OCJP in determining project success and funding allocations, and initiate monthly payments to the VOCA subrecipient. **Examples of each form are provided in [VOCA Appendix B](#). Forms may be reproduced locally, but should maintain the original format and content.**

The subrecipient is required to gather and maintain statistical data relating to grant project activities as required by the Office of Criminal Justice Programs. The data collected should support the information submitted on the semi-annual and annual reports. OCJP may periodically request to see the back-up data that supports the information submitted on your semi-annual and annual output and outcome reports.

The Project Director is responsible for timely submission of completed **program and fiscal** reports. **Note: Inability to submit required reports in a timely fashion is considered failure of a required contract obligation.**

- A. **U.S. Department of Justice Subgrant Award Report (SAR)**: This report is required for each organization that receives VOCA funds. The SAR must be completed **on line** (see [VOCA Appendix B](#)), no later than July 31st of the fiscal year for which the report is completed. **The SAR will be available on our website at <http://www.state.tn.us/finance/rds/ocjp.htm> . A new SAR must be completed for each fiscal year for which grant dollars are received by an agency.** The information submitted projects how funding will be allocated to victim services throughout the grant period. The program director is responsible for ensuring that the project expense adheres to the financial restraints noted in the SAR. For example, if an agency reports on the SAR that \$25,000 will be spent for sexual assault services and \$25,000 will be spent for domestic violence services it is the program director's responsibility to make sure the programs do not exceed the allotted amounts.
- B. **Mid-year Semi-Annual Outcome Reporting**: outcome reporting is required of all subrecipients at mid-year. **Semi-annual Outcome Report covers the period July 1st through December 31st.** Outcomes are benefits resulting for the participants from the program activities. OCJP is interested in collecting project outcome data based on the "core outcomes" by project type. **The Mid-year Semi-Annual Outcome Report** will be available on our website at <http://www.state.tn.us/finance/rds/ocjp.htm> and should be submitted to

OCJP by January 31st. (See [VOCA Appendix E](#) for Required Client Outcome Indicators and Measures)

- C. **Mid-year Semi-Annual Output Reporting:** Output reporting is required of all subrecipients at mid-year. **The Semi-Annual Output Report covers the period July 1st through December 31st.** Outputs are counts of activities and a measure of work accomplished by the program. The report must be submitted by January 31st. The Mid-year Semi-Annual Output Report will be available on our website at <http://www.state.tn.us/finance/rds/ocjp.htm>
- D. **Year-end Semi-Annual Outcome Reporting:** The outcome report is required at the end of each contract year. **The Year-end Semi-Annual Outcome Report covers the period of January 1st through June 30th.** The Year-end Semi-Annual Outcome Report should be submitted to OCJP by July 31st. The Year-end Semi-Annual Outcome Report will be available on our website at <http://www.state.tn.us/finance/rds/ocjp.htm>
- E. **Year-end Semi-Annual Output Reporting:** The output report is required at the end of each contract year. **The Year-end Semi-Annual Output Report covers the period of January 1st through June 30th.** The Year-end Semi-Annual Output Report should be submitted to OCJP by July 31st. The Year-end Semi-Annual Output Report will be available on our website at <http://www.state.tn.us/finance/rds/ocjp.htm>
- F. **Community and/or Collaborator Surveys** (as required based on your program type) cover the period **July 1-June 30**. The Annual Outcome Report will be available on our website at <http://www.state.tn.us/finance/rds/ocjp.htm>. The Community and/or Collaborator Survey Reports should be reported annually to OCJP by July 31. (See [VOCA Appendix F](#) for Sample Victim/Community/Collaborator Surveys)

NOTE: **Subrecipient programs** are not required to use client surveys to collect required **core outcome data**, but they are required to provide data addressing the core outcome indicators and measures for your specific project type, using a standard five-point scale (**Strongly Agree to Strongly Disagree**) for all client feedback and satisfaction data. **Subrecipients should not change the substance of the core outcome measures.** **Subrecipient agencies** may choose to use other available data sources to further validate and verify subrecipient data i.e. exit interviews, case notes, focus groups, staff observation, etc. **Data based on staff observations should be submitted as supplemental and NOT mixed with client feedback data.**

Data may be collected on the required satisfaction measures separately from participant outcome data in order to assure confidentiality. If a separate process is used to collect data on the required satisfaction measures, that process must be separately described in the logic model project narrative. [See Appendix H Rules/Guidelines for OCJP Required Data Collection.](#)

- G. **Projected Outcome Report:** Projecting outputs is a requirement of all subrecipients at the beginning of each contract year. Subrecipients are asked to project the number of outputs to be achieved during the upcoming contract year. Projected output reports should be submitted by July 31st for the upcoming contract period July – June. The data will assist OCJP in evaluating the planned versus actual activities funded through the grant.
- H. **[VOCA Year End Reconciliation Form:](#) (REPLACES THE U.S. DEPARTMENT OF JUSTICE SUB GRANT AWARD RECONCILIATION FORM)** This report is to be submitted **on line at the end of** the fiscal year. The report should be submitted to OCJP by

July 31. Please note that **yearly expenditures** and the amounts shown on the **VOCA Year End Reconciliation Form (Actual Amount Spent column)** must balance and relate to the dollar amounts projected each year on the SAR. The purpose of this report is to reconcile the federal dollars actually spent throughout the grant period with the projection made on the original SAR sent to OCJP at the beginning of the grant period so that appropriate dollar amounts are allocated to each of the four VOCA priority areas. (See **VOCA Appendix B**) The report will be available on our website at **<http://www.state.tn.us/finance/rds/ocjp.htm>** .

[Please click here for OCJP Reports \(OCJP Chapter VII\)](#)

VOCA REPORTING SCHEDULE

Name of Report	Dates Covered	Date Due	Person Sent To
U.S. Department of Justice Sub-grant Award Report (SAR)	Current fiscal year	July 31 st	SUBMITTED AS AN ONLINE REPORT
Mid-year Semi-Annual Outcome Report	July 1-December 31	January 31 st	SUBMITTED AS AN ONLINE REPORT
Mid-year Semi-Annual Output Report	July 1 –December 31	January 31 st	SUBMITTED AS AN ONLINE REPORT
Year-end Semi-Annual Outcome Report	January 1 – June 30	July 31 st	SUBMITTED AS AN ONLINE REPORT
Year-end Semi-Annual Output Report	January 1-June 30	July 31 st	SUBMITTED AS AN ONLINE REPORT
VOCA Year End Reconciliation Form	July 1 –June 30	July 31	SUBMITTED AS AN ONLINE REPORT
Projected Output Report	Upcoming Contract Period July to June	July 31 st	SUBMITTED AS AN ONLINE REPORT
Policy 03 Quarterly Expense and Revenue Report (Non Profit Agencies Only)	1 st Quarter 2 nd Quarter 3 rd Quarter 4 th Quarter	1 st Quarter/10-15 2 nd Quarter/1-15 3 rd Quarter/4-15 4 th Quarter/7-30	Janet Stewart Office of Criminal Justice Programs 312 8th Avenue North, Suite 1200 William R. Snodgrass Tennessee Tower Nashville, TN 37243-1700 Janet.Stewart@state.tn.us
Tennessee Department of Finance & Administration Invoice for Reimbursement	Prior Month	Monthly	Office of Business & Finance Department of Finance and Administration 20 th Floor Tennessee Tower 312 8th Avenue North, Suite 1200 William R. Snodgrass Tennessee Tower Nashville, TN 37243-1700 OCJPINVOICE@state.tn.us
Project Equipment Summary Report (If applicable)	Current Fiscal Year	30 days past the end of the State fiscal year (July 31)	Program Manager Office of Criminal Justice Programs 312 8th Avenue North, Suite 1200 William R. Snodgrass Tennessee Tower Nashville, TN 37243-1700
OCJP Quarterly Program Income Summary Report (Government Agencies only) (If applicable)	1 st Quarter 2 nd Quarter 3 rd Quarter 4 th Quarter	1 st Quarter/10-15 2 nd Quarter/1-15 3 rd Quarter/4-15 4 th Quarter/7-30	Janet Stewart Office of Criminal Justice Programs 312 8th Avenue North, Suite 1200 William R. Snodgrass Tennessee Tower Nashville, TN 37243-1700 Janet.Stewart@state.tn.us

PLEASE PAY CLOSE ATTENTION TO THE LAST COLUMN AND SEND REPORTS TO THE PERSON LISTED.

CHAPTER IV VOCA ALLOWABLE COSTS

Allowable costs are those cost principles identified in [OMB Circular A-87](#) for State and local Government, [OMB Circular A-122](#) for Non-Profit Organizations, and in the grant program's authorizing legislation. In addition costs must be reasonable, allocable, necessary to the project, and comply with the funding statute requirements. The following is a listing of services, activities, and costs that are eligible for support with VOCA victim assistance grant funds within a subrecipient's organization.

- A. **Immediate Health and Safety** - Those services which respond to the immediate emotional and physical needs (excluding medical care) of crime victims such as crisis intervention, accompaniment to hospitals for medical examinations, hotline counseling, emergency food, clothing, transportation, and shelter (including emergency, short term nursing home shelter for elder abuse victims for whom no other safe, short term residence is available), and other emergency services that are intended to restore the victim's sense of security. This includes services that offer an immediate measure of safety to crime victims such as boarding up broken windows and replacing or repairing locks. Also allowable is emergency legal assistance such as filing restraining orders and obtaining emergency custody/visitation rights when such actions are directly connected to family violence cases and are taken to ensure the health and safety of the victim.
- B. **Mental Health Assistance** consists of those services and activities that assist the primary and secondary victims of crime in understanding the dynamics of victimization and in stabilizing their lives after victimization such as counseling, group treatment, and therapy.
- C. **Assistance with Participation in Criminal Justice Proceedings** may include advocacy on behalf of crime victims, accompaniment to criminal justice offices and court, transportation to court, child care or respite care to enable a victim to attend court, notification of victims regarding trial dates, case disposition information, parole consideration procedures, and assistance with victim impact statements. VOCA funds cannot be used to pay for non-emergency legal representation such as for divorces or civil restitution recovery efforts.
- D. **Forensic Examinations** are allowable only to the extent that other funding sources (such as state compensation, private insurance, or public benefits) are unavailable or insufficient and, such exams conform with state evidentiary collection requirements.
- E. **Costs Necessary and Essential to Providing Direct Services** includes pro-rated costs of rent, telephone services, transportation costs for victims to receive services, emergency transportation costs that enable a victim to participate in the criminal justice system, and local travel expenses for service providers.

- F. **Special Services** assist victims with managing practical problems created by the victimization such as acting on behalf of the victim with other service providers, creditors, or employers, assisting the victim to recover property that is retained as evidence, assisting in filing for compensation benefits, and helping to apply for public assistance.
- G. **Personnel Costs** that are directly related to providing direct services, such as staff salaries and fringe benefits, including malpractice insurance, the cost of advertising to recruit VOCA funded personnel, and the cost of training paid and volunteer staff.
- H. **Restorative Justice** includes opportunities for crime victims to meet with perpetrators, if such meetings are requested or voluntarily agreed to by the victim and have possible beneficial or therapeutic value to crime victims. At a minimum the following should be considered when conducting these meetings:
1. the safety and security to the victim
 2. the benefit or therapeutic value to the victim
 3. the procedures for ensuring that participation of the victim and the offender are voluntary and that everyone understands the nature of the meeting
 4. the provision of appropriate support and accompaniment for the victim
 5. appropriate “debriefing” opportunities for the victim after the meeting or panel
 6. the credentials of the facilitators and
 7. the opportunity for a crime victim to withdraw from the process at any time

VOCA assistance funds cannot be used for victim-offender meetings, which serve to replace criminal justice proceedings.

The services, activities, and costs listed below are not generally considered direct crime victim services, but are often a necessary and essential activity to ensure that quality direct services are provided. Before these costs can be supported with VOCA funds, OCJP and the subrecipient must agree that direct services to crime victims cannot be offered without support for these expenses, that the subrecipient has no other source of support for them and that only limited amounts of VOCA funds will be used for these purposes. This must be agreed to at the time of grant application and funding.

- I. **Skills Training for Staff:** VOCA funds designated for training are to be used exclusively for developing the skills of direct service providers so that they are better able to offer quality services to crime victims. VOCA funds can be used for training both VOCA funded and non-VOCA funded service providers who work within a VOCA subrecipient organization. Volunteers can be included in VOCA supported training with **prior approval** from OCJP. All training supported with VOCA funds must relate directly to the purpose statement of the VOCA funded grant. VOCA funds cannot be used for management and administrative training for executive directors, board members, and other individuals that do not provide direct services.
- J. **Training Materials:** VOCA funds can be used to purchase material such as books, training manuals, and videos for direct service providers, within the VOCA funded organization, and can support the costs of a trainer for in-service staff development. Staff

from other organizations can attend in-service training activities that are held for the subrecipient's staff.

- K. **Training Related Travel:** VOCA funds can support costs such as travel, meals, lodging, and registration fees to attend training within the state or a similar geographical area. Subrecipients are encouraged to first look for available training within their immediate geographical area. However, when needed training is unavailable within the immediate area, OCJP may authorize using VOCA funds to support training outside of the geographical area. Expenses and reimbursements for all in state and out of state travel must follow the State of Tennessee Comprehensive Travel Regulations or the subrecipient travel regulations/rates, if lower.
- L. **Equipment and Furniture:** VOCA funds may be used to purchase furniture and equipment that provides or enhances direct services to crime victims. VOCA funds cannot support the entire cost of an item that is not used exclusively for victim-related activities. However, VOCA funds can support a prorated share of such an item. Subrecipients cannot use VOCA funds to purchase equipment for another organization or individual to perform a victim-related service.

Examples of allowable costs may include beepers, typewriters and word processors, video tape cameras and players for interviewing children, two-way mirrors, equipment and furniture for shelters, work spaces, victim waiting rooms, and children's play areas. The costs of furniture, equipment such as Braille equipment or TTY/TTD machines for the deaf, or minor building alterations/improvements that make victims services more accessible to persons with disabilities are allowable.

- M. **Purchasing or Leasing Vehicles:** Subrecipients may use VOCA funds to purchase or lease vehicles if they can demonstrate to OCJP that such expenditure is essential to delivering services to crime victims. OCJP must give PRIOR approval for all such purchases.
- N. **Advanced Technologies:** At times, computers may increase a subrecipient's ability to reach and serve crime victims. In making such expenditures, VOCA subrecipients must describe to OCJP how the computer equipment will enhance services to crime victims, how it will be integrated into and/or enhance the subrecipient's current system, the cost of installation, the cost of training staff to use the computer equipment, the ongoing operational costs, such as maintenance agreements, supplies, and how these additional costs will be supported.

Property insurance is an allowable expense as long as VOCA funds support a prorated share of the cost of the insurance payments. Property records must be maintained with the following: a description of the property and a serial number or other identifying number, identification of title holder, the acquisition date, the cost and the percentage of VOCA funds supporting the purchase, the location, use, and condition of the property, and any disposition data, including the date of disposal and sale price.

Non-expendable equipment is tangible property having a useful life of more than two years and an acquisition cost of \$5,000 or more per unit. Purchases of computer and

software, hardware and other related equipment must follow the Office of Criminal Justice Program's Computer Policy Guidelines, in [OCJP Appendix C](#). **Contact your OCJP Program Manager prior to any purchases of computer or telecommunications equipment.**

- O. **Contracts for Professional Services:** VOCA funds generally should not be used to support contract services. At times, however, it may be necessary for VOCA subrecipients to use a portion of the VOCA grant to contract for specialized services. Examples of these include assistance in filing restraining orders or establishing emergency custody/visitation rights (the provider must have a demonstrated history of advocacy on behalf of domestic violence victims), forensic examinations on a sexual assault victims to the extent that other funding sources are unavailable or insufficient, emergency psychological or psychiatric services, or sign and/or interpretation for the deaf or for crime victims whose primary language is not English. Subrecipients are prohibited from using a majority of VOCA funds for contracted services which contain administrative, overhead, and other indirect costs included in the hourly or daily rate.
- P. **Operating Costs:** Examples of allowable operating costs include supplies, equipment use fees, when supported by usage logs, printing, photocopying, and postage, brochures which describe available services, and books and other victim related materials. VOCA funds may support administrative time to complete VOCA required time and attendance sheets and programmatic documentation, reports, and statistics, administrative time to maintain crime victim's records, and the pro-rated share of audit costs.
- Q. **Supervision of Direct Service Providers:** OCJP may provide VOCA funds for supervision of direct service providers when they determine that such supervision is necessary and essential to providing direct services to crime victims. For example, OCJP may allow a subrecipient to use VOCA funds to support a coordinator of volunteers or interns is a cost-effective way of serving more crime victims.
- R. **Repair and/or Replacement of Essential Items:** VOCA funds may be used for repair or replacement of items that contribute to maintaining a healthy and/or safe environment for crime victims, such as a furnace in a shelter. In the event that a vehicle is purchased with VOCA funds, related items, such as routine maintenance and repair costs, and automobile insurance are allowable. Requests for expending VOCA funds will be scrutinized to ensure the following:
1. that the building or vehicle is owned by the subrecipient organization and not rented or leased
 2. all other sources of funding have been exhausted
 3. there is no available option for providing the service in another location
 4. that the cost of the repair or replacement is reasonable considering the value of the building or vehicle
 5. the cost of the repair or replacement is pro-rated among all sources of income.
- S. **Public Presentations:** VOCA funds may be used to support presentations that are made in schools, community centers, or other public forums, and that are designed to identify

crime victims and provide or refer them to needed services. Specifically, activities and costs related to such programs including presentation materials, brochures, and newspaper notices can be supported by VOCA funds.

- T. **Consultant Fees:** Individual consultant fees are limited to \$450 per day or \$56.25 per hour. Consultants that are paid for using VOCA dollars must provide direct services to crime victims.

[Please click here for OCJP Allowable Costs \(OCJP Chapter XIV\)](#)

CHAPTER V UNALLOWABLE COSTS

Unallowable costs are those cost principles identified in the [OMB Circular A-87](#) for State and Local Governments and [OMB Circular A-122](#) for Non-Profit Organizations and in the grant program's authorizing legislation.

The following services, activities, and costs, although not exhaustive, **CANNOT** be supported with VOCA victim assistance grant funds at the subrecipient level.

- A. **Lobbying and Administrative Advocacy:** VOCA funds cannot support victim legislation or administrative reform, whether conducted directly or indirectly.
- B. **Perpetrator Rehabilitation and Counseling:** Subrecipients cannot knowingly use VOCA funds to offer rehabilitative services to offenders. Likewise, VOCA funds cannot support services to incarcerated individuals, even when the service pertains to the victimization of that individual.
- C. **Needs Assessments, Surveys, Evaluations, Studies:** VOCA program funds may not be used to pay for efforts conducted by individuals, organizations, task forces, or special commissions to study and/or research particular crime victim issues.
- D. **Prosecution Activities:** VOCA funds cannot be used to pay for activities that are directed at prosecuting an offender and/or improving the criminal justice system's effectiveness and efficiency, such as witness notification and management activities and expert testimony at a trial. In addition, victim witness protection costs and subsequent lodging and meal expenses are considered part of the criminal justice agency's responsibility and cannot be supported with VOCA funds.
- E. **Fundraising Activities:** Costs of organized fund raising, including financial campaigns, endowment drives, solicitation of gifts and bequests, and similar expenses incurred solely to raise capital or obtain contributions, may not be charged either as direct or indirect costs against the award. Neither the salary of persons engaged in such activities nor indirect costs associated with those salaries may be charged to the award, except insofar as such persons perform other funding-related activities.

An organization may accept donations (i.e., goods, space, services) as long as the value of the donations is not charged as a direct or indirect cost to the grant.

A subrecipient may also expend funds, in accordance with approved award terms, to seek future funding sources to "institutionalize" the project, but not for the purpose of raising funds to finance related or complementary project activities.

An organization may accept donations (i.e., goods, space, and services) as long as the value of the donation is not charged as a direct or indirect cost to the award. A subrecipient may also expend funds, in accordance with approved award terms, seek

future finding sources to “institutionalize” the project, but not for the purpose of raising funds to finance related or complementary project activities.

Nothing in this section should be read to prohibit a subrecipient from engaging in fund raising activities as long as Federal funds do not finance such activities.

- F. **Indirect Organizational Costs:** The costs of liability insurance on buildings, capital improvements, security guards and body guards, property losses and expenses, real estate purchases, mortgage payments, and construction may not be supported with VOCA funds.
- G. **Property Loss:** Reimbursing crime victims for expenses incurred as a result of a crime such as insurance deductibles, replacement of stolen property, funeral expenses, lost wages, and medical bills is not allowed.
- H. **Most Medical Costs:** VOCA funds cannot pay for nursing home care (emergency short-term care previously described is allowable), home health-care costs, inpatient treatment costs, hospital care, and other types of emergency and non-emergency medical and/or dental treatment. VOCA victim assistance grant funds cannot support medical costs resulting from victimization, except for forensic medical examinations for sexual assault victims.
- I. **Relocation Expenses:** VOCA funds cannot support relocation expenses for crime victims such as moving expenses, security deposits on housing, ongoing rent, and mortgage payments. However, VOCA funds may be used to support staff time in locating resources to assist victims with these expenses.
- J. **Administrative Staff Expenses:** Salaries, fees and reimbursable expenses associated with administrators, board members, executive directors, consultants, coordinators, and other individuals, are not allowed, unless these expenses are incurred while providing direct services to crime victims.
- K. **Development of Protocols, Interagency Agreements, and Other Working Agreements:** These activities benefit crime victims, but they are considered examples of the types of activities that subrecipients undertake as part of their role as a victim services organization, which in turn qualifies them as an eligible VOCA subrecipient.
- L. **Costs of Sending Individual Crime Victims to Conferences**
- M. **Activities Exclusively Related to Crime Prevention**
- N. **Inherently religious activities.**

Please note: THIS LIST IS NOT ALL-INCLUSIVE. For further clarification contact OCJP.

[Please click here for OCJP Unallowable Costs \(OCJP Chapter XV\)](#)

CHAPTER VI

VOCA PERFORMANCE MEASUREMENT AND DECISION MAKING

A. Performance Measurement

1. The Office of Criminal Justice Programs, like all funders, wants to be a responsible steward of limited federal and state grant money. To accomplish this goal, OCJP works to assure that grants are awarded to agencies that can demonstrate they make a difference for clients. We have continually worked with our subrecipient agencies to provide them with the tools and experience they need to manage their operations and to demonstrate their accountability. *We recognize that the combination of output, outcome and satisfaction data comprise a best picture possible of an agency's performance.*
2. OCJP is interested in subrecipient agencies improving performance as well as quantifying their effort. It has been demonstrated that agencies that want to survive and flourish must make significant efforts to continually improve performance and to be able to prove it with verifiable measurements.
3. Although output data is important and will continue to be collected, used and submitted to our federal funders, outcome data has provided us with additional information related to the results of agency efforts on the clients the OCJP/subrecipient partnership serves. Outcome information describes some change in the participant's condition and establishes the benefits of the funding in measurable terms.
4. We recognize that there are basically three reasons for attending to client outcomes:
 - (a) **To Improve Program Performance** - Agencies exist to help clients find better lives. Agencies want clients safer, more informed, aware of their options and exercising better judgment. Subrecipient agencies need solid information about how well their clients are doing in order to continue improving the quality of their programs.
 - (b) OCJP and other funding sources must be in a position to make funding decisions:

- When funds are available, funding agencies need information on results to decide which service models to support.
- When funds are limited, funding agencies must be able to direct limited resources toward approaches known to work.

(c) **To Meet Federal Reporting Requirements.**

5. Performance data can be used to monitor and measure individual program performance or aggregated by project type, the state and/or fund source.
6. OCJP will continue to expect programs to use the logic model to describe how their grant-funded project theoretically works to benefit the target group. OCJP will also continue to collect and use **output** and outcome information as we manage our federal grants.
7. The data collected and reported by Tennessee subrecipients answer three questions:
 13. **OUTPUTS** - What are we doing?
 14. **SATISFACTION** - How well are we doing it?
 15. **OUTCOMES** - How is the client doing?
8. OCJP does not collect information with which to compare one program or project with another. However OCJP publishes data on our website by which any agency can compare their own data with data reported by like projects.

B. OCJP Decision-Making

1. OCJP conducts **Performance Management Reviews (PMR)** of each subrecipient contract annually. The performance review process consists of a detailed weighing system that provides a historical perspective of past and present subrecipient performance.
2. The PMR consists of the following criteria, based on a 100 point scale: (See [Appendix G](#))
 - (a) **Integrity of Program Design** – the logic model description of the program. **(15%)**
 - (b) **Reporting History** – compliance with output and outcome reporting requirements. **(15%)**
 - (c) **Program Performance** – considering compliance with victim and community/collaborator outcome measurement requirements; notification to OCJP of pertinent changes; history of spending; program manual understanding and overall program effectiveness. **(50%)**
 - (d) **Contract Monitoring** – ratings will examine program and fiscal findings. **(20%)**
3. OCJP will make funding/allocation decisions based on:
 - (a) Performance Management Review Ratings
 - (b) The funding priorities and requirements of the funding source
 - (c) Ensuring that funds are allocated across the state in a defensible and equitable manner.

FEDERAL LEGISLATIVE AUTHORITY

16.575 OFFICE FOR VICTIMS OF CRIME

AUTHORIZATION: Victims of Crime Act of 1984 (VOCA), as amended, Public Law 98-473, Chapter XIV, 42 U.S.C. 10601, et seq., Section 1402, Section 1404, Children's Justice and Assistance Act of 1986, as amended, Public Law 99-401, Section 102 (5)(b)(ii); Anti-Drug Abuse Act of 1988, Title VII, Subtitle D, Public Law 100-690; Crime Control Act of 1990, Public Law 101-647; Federal Courts Administration Act of 1992, Public Law 102-572; Departments of Commerce, Justice, State, the Judiciary, and Related Agencies Appropriations Act of 1994; Violent Crime Control and Law Enforcement Act of 1994, Subtitle C, Public Law 104-132; Anti-Terrorism and Effective Death Penalty Act of 1996.

OBJECTIVES: The first \$6,200,000 deposited in the Crime Victims fund in each of the fiscal years 1992 through 1995 and the first \$3,000,000 in each fiscal year thereafter shall be available to the judicial branch for administrative costs to carry out the functions of the judicial branch under Section 3611 and 3612 of Title 18, United States Code. The next \$10,000,000 deposited in the fund shall be available for grants under Section 1404A. Of the remaining amount deposited in the fund in a particular year, 48.5 percent shall be available for grants under 1404(a). Three percent shall be available for grants under 1404(c).

Under Section 1404B, the OVC Director may make supplemental grants for providing compensation and assistance to residents, who while outside of the U.S. become victim of a terrorist act or mass violence; eligible State compensation and assistance programs to provide emergency relief, including crisis assistance, training, technical assistance for the benefit of victims of terrorist acts or mass violence occurring within the U.S.; and U.S. Attorney's Office for use in coordination with State victim compensation and assistance efforts in providing services to victims of terrorist acts or mass violence occurring within the U.S.

Under Section 1402 the Director of OVC may retain funds in an emergency reserve fund in excess of 100% of the total amount deposited in the Crime Victim Fund during the preceding fiscal year, up to \$50 million to supplement the above grants and to supplement victim compensation and assistance programs in years the Fund decreases and additional monies are needed to support State programs. A primary purpose of this program is to stimulate State participation and support for victim services programs and promote victim cooperation with law enforcement, in addition to the direct benefit to crime victims with Federal assistance monies.

USES AND USE RESTRICTIONS: Funds under this program shall be used by states and territories to provide direct services to crime victims with the following exception: States may retain up to 5 percent of their grant for administrative purposes. The base amount of grants under this program shall be \$500,000 to each State, the American Samoas, the District of Columbia, Guam, Northern Mariana Islands, Puerto Rico, and the United States Virgin Islands. That portion of the remaining funds will be divided among all States or territories according to population (U.S. Census Bureau). If the amount available for grants under this program is insufficient to provide \$500,000 to each State, the base amount available shall be distributed equally among the States and territories. A victim assistance program is an eligible crime victim assistance program under VOCA if it:

- (A) is operated by a public agency or a nonprofit organization, or a combination of such agencies or organizations or both such agencies and organizations, and provides services to victims of crime;
- (B) Demonstrates (i) a record of providing effective services to victims of crime and (ii) substantial financial support from nonfederal sources;

- (C) Utilizes volunteers in providing such services, unless and to the extent the chief executive determines that compelling reasons exist to waive this requirement;
- (D) Promotes within the community served coordinated public and private efforts to aid crime victims, and
- (E) Assists potential recipients in seeking crime victim compensation benefits.

An eligible crime victim assistance program shall expend sums received under subsection (a) only for providing direct services to victims of crime. The chief executive of each State shall (A) certify that priority shall be given to eligible crime victim assistance programs providing assistance to victims of sexual assault, spousal abuse, or child abuse, and to programs serving previously underserved victims of violent crime, as determined by the State, (B) certify that funds awarded to eligible crime victim assistance programs will not be used to supplant State and local funds otherwise available for crime victim assistance; and provide such other information and assurances related to the purposes of this section as the Director may reasonably require.

As used in this program, (1) the term “State” includes the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, and any other territory or possession of the United States; and (2) the term “services to victims of crime” includes (a) crisis intervention services to provide emotional support in cases arising from the occurrence of crime; (b) providing, in an emergency, transportation to court, short-term child care services, and temporary housing and security measures; assistance in participating in criminal justice proceedings; (d) payment of all reasonable costs for a forensic medical examination of sexual assault victims, to the extent that such costs are otherwise not reimbursed or paid; (3) the term “chief executive” includes a person designed by the governor to perform the function of the chief executive under this section.

FORMULA AND MATCHING REQUIREMENTS: Awards will be made on the basis of population with a base amount of \$500,000. Fund availability may necessitate a base change. There are no matching requirements for discretionary or state formula grantees.

ELIGIBILITY REQUIREMENTS:

Applicant Eligibility: Any State, the District of Columbia, all Commonwealths and any other territory or possession of the United States are eligible. Funds will be subgranted to eligible public and nonprofit organizations or combinations of such agencies or organizations or of both such agencies and organizations, who provide direct services to victim of crime.

Beneficiary Eligibility: Any member of the general public who has been a victim of crime or those who are survivors of victims of crime.

Credentials/Documentation: Applications from the designated State agency for this program must be submitted on Standard Form 424 at a time specified by the Office for Victims of Crime, Office of Justice Programs. The State grant applicant, by completing the grant application, and by receiving a VOCA victim assistance grant award, certifies:

- (1) that funds awarded to eligible crime victim assistance programs will not be utilized to supplant State and/or local funds that would be available for crime victim assistance.
- (2) that the state will provide such accounting, auditing, monitoring and evaluation procedures as may be necessary, and keep such records as the Office of Justice Programs may prescribe, to assure fiscal control, proper management and efficient disbursement of Federal Funds;

- (3) that the State shall give priority to programs aiding victims of sexual assault, spousal abuse, or child abuse, and to programs serving previously underserved victims of violent crimes as determined by the state;
- (4) that the State will submit to the Office of Justice Programs Subgrant Award Reports and Performance Reports concerning the activities carried out with the Federal funds received and will maintain and report such data and information as required;
- (5) that the State will adhere to the audit and financial management requirements set forth in the effective edition of the OJP Financial Guide;
- (6) that the State will comply with all applicable Federal nondiscrimination requirements
- (7) that the information in the application is correct; and that the State will comply with all applicable provisions of the Victims of Crime Act and other Federal laws, regulations, and circulars. Costs will be determined in accordance with OMB Circular No. A-87 for State and local governments.

SUBGRANT AWARD REPORT

<p>1.a. SUBGRANTEE AGENCY NAME AND ADDRESS:</p> <p>b. PROJECT DIRECTOR:</p> <p>c. TELEPHONE NUMBER:</p> <p>d. CONGRESSIONAL DISTRICT:</p>	<p>2. PURPOSE OF VOCA SUB GRANT AWARD:</p> <p><input type="checkbox"/> START UP A NEW VICTIM SERVICES PROJECT</p> <p><input type="checkbox"/> CONTINUE A VOCA FUNDED VICTIM PROJECT FUNDED IN A PREVIOUS YEAR</p> <p><input type="checkbox"/> EXPAND OR ENHANCE AN EXISTING PROJECT NOT FUNDED BY VOCA IN THE PREVIOUS YEAR</p> <p><input type="checkbox"/> START UP A NEW NATIVE AMERICAN VICTIM SERVICES PROJECT</p> <p><input type="checkbox"/> EXPAND OR ENHANCE AN EXISTING NATIVE AMERICAN PROJECT</p>
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**EXAMPLE ONLY—
THIS REPORT IS
SUBMITTED
ELECTRONICALLY**

<p>3.a. FEDERAL AMOUNT OF AWARD: \$ _____</p> <p>b. GRANT NUMBER: \$ _____</p> <p>c. PROJECT BEGIN DATE: _____</p> <p>d. PROJECT END DATE: _____</p>	<p>4. SUB GRANT MATCH</p> <p>a. VALUE OF IN-KIND MATCH _____ \$ _____</p> <p>b. CASH MATCH _____ \$ _____</p> <p>c. TOTAL MATCH _____ \$ _____</p>
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<p>5. THESE VOCA FUNDS WILL PRIMARILY BE USED TO:</p> <p><input type="checkbox"/> EXPAND SERVICES INTO A NEW GEOGRAPHIC AREA</p> <p><input type="checkbox"/> OFFER NEW TYPES OF SERVICES</p> <p><input type="checkbox"/> SERVE ADDITIONAL VICTIM POPULATIONS</p> <p><input type="checkbox"/> CONTINUE EXISTING SERVICES TO CRIME VICTIMS</p> <p><input type="checkbox"/> OTHER</p>	<p>6. FOR THIS VICTIM SERVICES PROGRAM INDICATE</p> <p>a. NUMBER OF PAID STAFF _____ (FULL TIME EQUIVALENT)</p> <p>b. HAS THE VICTIM SERVICES PROGRAM RECEIVED A VOLUNTEER WAIVER? <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>c. IF NO, INDICATE THE NUMBER OF VOLUNTEER STAFF _____</p>
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<p>7. IDENTIFY ANY OF ALL OF THE VOCA GRANT THAT WILL BE USED TO MEET THE PRIORITY AND UNDERSERVED REQUIREMENTS</p> <p>a. CHILD ABUSE \$ _____</p> <p>b. DOMESTIC VIOLENCE \$ _____</p> <p>c. SEXUAL ASSAULT \$ _____</p> <p>d. UNDERSERVED \$ _____</p> <p style="padding-left: 20px;">DUI/DWI CRASHES \$ _____</p> <p style="padding-left: 20px;">SURVIVORS OF HOMICIDE VICTIMS \$ _____</p> <p style="padding-left: 20px;">ASSAULT \$ _____</p> <p style="padding-left: 20px;">ADULTS MOLESTED AS CHILDREN \$ _____</p> <p style="padding-left: 20px;">ELDER ABUSE \$ _____</p> <p style="padding-left: 20px;">ROBBERY \$ _____</p> <p style="padding-left: 20px;">OTHER VIOLENT CRIMES \$ _____</p>	<p>8. TYPE OF IMPLEMENTING AGENCY</p> <p>a. <input type="checkbox"/> CRIMINAL JUSTICE</p> <p style="padding-left: 20px;"><input type="checkbox"/> LAW ENFORCEMENT <input type="checkbox"/> COURT</p> <p style="padding-left: 20px;"><input type="checkbox"/> PROSECUTION <input type="checkbox"/> CORRECTIONS</p> <p style="padding-left: 20px;"><input type="checkbox"/> PROBATION <input type="checkbox"/> OTHER</p> <p>b. <input type="checkbox"/> NON-CRIMINAL JUSTICE – GOVERNMENT</p> <p style="padding-left: 20px;"><input type="checkbox"/> SOCIAL SERVICES <input type="checkbox"/> HOSPITAL</p> <p style="padding-left: 20px;"><input type="checkbox"/> MENTAL HEALTH <input type="checkbox"/> OTHER</p> <p style="padding-left: 20px;"><input type="checkbox"/> PUBLIC HOUSING</p> <p>c. <input type="checkbox"/> PRIVATE NON-PROFIT</p> <p style="padding-left: 20px;"><input type="checkbox"/> HOSPITAL <input type="checkbox"/> SHELTER</p> <p style="padding-left: 20px;"><input type="checkbox"/> MENTAL HEALTH AGENCY <input type="checkbox"/> RAPE CRISIS</p> <p style="padding-left: 20px;"><input type="checkbox"/> RELIGIOUS ORGANIZATION <input type="checkbox"/> OTHER</p> <p>d. <input type="checkbox"/> NATIVE AMERICAN TRIBE OR ORGANIZATION</p> <p style="padding-left: 20px;"><input type="checkbox"/> ON RESERVATION <input type="checkbox"/> OFF RESERVATION</p>
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9. PLEASE PROVIDE THE TOTAL AMOUNTS OF FUNDING ALLOCATED TO VICTIM SERVICES BASED ON THE SUBGRANTEE'S CURRENT FISCAL YEAR BUDGET

FUNDING SOURCE	CURRENT YEAR AMOUNT	FUNDING SOURCE	CURRENT YEAR AMOUNT
a. FEDERAL (EXCLUDING VOCA)		e. OTHER	
b. VOCA			
c. STATE			
d. LOCAL			

10. IDENTIFY THE VICTIM(S) TO BE SERVED THROUGH THIS VOCA-FUNDED PROJECT (VOCA GRANT PLUS MATCH)

CHILD PHYSICAL ABUSE	ADULTS MOLESTED AS CHILDREN
CHILD SEXUAL ABUSE	SURVIVORS OF HOMICIDE VICTIMS
DUI/DWI CRASHES	ROBBERY
DOMESTIC VIOLENCE	ASSAULT
ADULT SEXUAL ASSAULT	OTHER VIOLENT CRIMES
ELDER ABUSE	OTHER

11. CHECK THE SERVICES TO BE PROVIDED BY THIS VOCA-FUNDED PROJECT (VOCA GRANT PLUS MATCH)

CRISIS COUNSELING	CRIMINAL JUSTICE SUPPORT/ADVOCACY
FOLLOW UP CONTACT	EMERGENCY FINANCIAL ASSISTANCE
THERAPY	EMERGENCY LEGAL ADVOCACY
GROUP TREATMENT	ASSISTANCE IN FILING COMPENSATION CLAIMS
CRISIS HOTLINE COUNSELING	PERSONAL ADVOCACY
SHELTER/SAFE HOUSE	TELEPHONE CONTACTS (INFORMATION & REFERRAL)
INFORMATION AND REFERRAL (IN-PERSON)	OTHER

VOCA SUBGRANT AWARD INSTRUCTIONS

**THIS REPORT IS
SUBMITTED
ELECTRONICALLY**

VOCA DEFINITIONS

The following words are defined to provide consistency in completing the SAR

Child – A person under the age of 18 or as otherwise defined by State law.

Elder Abuse – Abuse perpetrated by a caretaker upon an elderly individual who depends on others for support and assistance.

Victim Services Program – All services and activities offered on behalf of victims of crime, including the VOCA grant and match.

VOCA Funded Project – VOCA funds plus match.

1.
 - a. **Provide the name and two-line address of the agency receiving the VOCA funds. This item refers to the agency providing the direct services to victims of crime, not a pass through or conduit agency.**
 - b. Provide the name of the Project Director responsible for the VOCA funded project.
 - c. Provide the area code and telephone number.
 - d. List the Congressional district and any other District(s) affected by the VOCA funded program or project.
2. Check the appropriate box.
3.
 - a. Provide the total dollar amount of VOCA funds (do not include match) awarded. Do not report sums less than one dollar
 - b. Provide the Z number assigned to this VOCA award.
 - c. Indicate the date the VOCA funded project begins for the current fiscal year.
 - d. Indicate the date the VOCA funded project ends for the current fiscal year.
4.
 - a. Provide the value of in-kind match.
 - b. Provide the value of cash match.
 - c. Indicate the total match available to this VOCA funded project. Do not include sums less than one dollar.
5. Check the box that indicates how the VOCA funds will primarily be used. If it will be used equally for two or more items select “Other”.
6. Within the victim services program, which includes the VOCA funds and match, indicate the number of paid staff (6.a.) and whether or not a volunteer waiver has been given (7.b.). If “No” indicate the number of volunteer staff. Use full time equivalents when responding to these questions and round fractions to the nearest whole number. These numbers may be estimated or prorated.
7. Indicate the amount of VOCA funds that are allocated to the priority and underserved victims of crime.
8. Check the appropriate boxes that best describe the agency listed in Item 1.
9. Report the total budget available to the victim services program by source of funding. Do not report the entire agency budget unless the entire budget is devoted to victim services. For example, if VOCA funds are awarded to support a victim advocate unit in a prosecutor’s office, then only report the budget for the victims advocate unit. Do not include in-kind match. Do not report sums less than one dollar.
10. Check the box(es) that best identify types of victims the VOCA funded project will serve. “Other” in this category refers to victims of non-violent crime, i.e. burglary, white collar, etc. Please specify.
11. Check the box(es) that best identifies the types of services or activities that will be provided by the VOCA funded project as described below. Report only those services actually provided by the VOCA funded project. Do not report services offered by another agency.

Crisis Counseling refers to in-person crisis intervention, emotional support, and guidance and counseling provided by advocates, counselors, mental health professionals, or peers. Such counseling may occur at the scene of the crime, immediately after a crime, or be provided on an ongoing basis.

Follow-up Contact refers to in-person contacts, telephone contacts, and written communication with victims to offer emotional support, provide empathetic listening, check on victim’s progress, etc.

Therapy refers to intensive professional psychological and/or psychiatric treatment for individuals, couples, and family members related to counseling to provide emotional support in crisis arising from the occurrence of crime. This includes the evaluation of mental health needs, as well as the actual delivery of psychotherapy.

Group Treatment/Support refers to the coordination and provision of supportive group activities and includes self-help, peer, and social support, etc.

Crisis Hotline Counseling typically refers to the operation of a 24-hour telephone service, 7 days a week, which provides counseling, guidance, emotional support, information and referral, etc.

Shelter/Safe House refers to offering short and long-term housing and related support services to victims and families following victimization.

Information Referral (in-person) refers to in-person contacts with victims during which time, services, and available support are identified.

Criminal Justice Support Advocacy refers to support, assistance, and advocacy provided to victims at any stage of the criminal justice process, to include post-sentencing services and support.

Emergency Financial Assistance refers to cash outlays for transportation, food, clothing, emergency housing, etc.

Emergency Legal Advocacy Refers to filing temporary restraining orders, injunctions, and other protective orders, elder abuse petitions, and child abuse petitions but does not include criminal prosecution or the employment of attorneys for non-emergency purposes, such as custody disputes, civil suits, etc.

Assistance in Filing Compensation Claims includes making the victim aware of the availability of crime victim compensation, assisting the victim in completing the required forms, gathering the needed documentation, etc. It also may include follow-up contact with the victim compensation agency on behalf of the victim.

Personal Advocacy Refers to assisting victims in securing rights, remedies, and services from other agencies; locating financial assistance, intervening with employers, creditors, and others on behalf of the victim; assistance in filing for losses covered by public and private insurance programs including workman’s compensation, unemployment benefits, welfare, etc.; accompanying the victim to the hospital; etc.

Telephone Contact refers to contacts with victims during which time services and available support are identified. This does not include calls during which counseling is the primary function of the telephone call.

Other Refers to other VOCA allowable services and activities not listed.

VOCA SEMI-ANNUAL OUTPUT REPORT

Reporting Period: (check the appropriate 6 month period)

(Mid-year) July – December

(Year-end) January – June

**EXAMPLE ONLY—THIS
REPORT IS SUBMITTED
ELECTRONICALLY**

The crime victim assistance agency receiving funds under VOCA is required to submit an annual report, for each VOCA project, no later than **July 31** of each state fiscal year. The report should be submitted to: Lisa Au at 312 8th Avenue North, Suite 1200, William R. Snodgrass Tennessee Tower, Nashville, TN 37243-1700. Please complete only the blanks that are provided. (DO NOT ADD ANY CATEGORIES.) NUMBERS REFLECTED MUST REPRESENT THE ENTIRE FISCAL YEAR. Numbers are to reflect **ONLY** victims served under the VOCA grant not your entire agency.

Section 1

Agency	State Grant Number		
Street Address	City	State	Zip
Contact person	Phone Number	Fax Number	

Section 2

Indicate the number of sub-contractual agreements funded from this grant: _____

Section 3

A. Indicate the number of victims served by your VOCA funded project during the fiscal year. Each victim should be counted only once. Numbers are to reflect **ONLY** victims served under the VOCA grant not your entire agency.

Crime	Number
1. Child Physical Abuse	1.
2. Child Sexual Assault	2.
3. DUI/DWI Crashes	3.
4. Domestic Violence	4.
5. Adult Sexual Assault	5.
6. Elder Abuse	6.
7. Adults Molested As Children	7.
8. Survivors of Homicide Victims	8.
9. Robbery	9.
10. Assault	10.
11. Other (specify):	11.
Total	

B. Provide the total **number of victims** (not number of services provided) receiving each type of service through your project. See instructions for definition of each service. Numbers are to reflect **ONLY** victims served under the VOCA grant not your entire agency.

Service	Number
1. Crisis Counseling	1.
2. Follow-up	2.
3. Therapy	3.
4. Group Treatment/Support	4.
5. Shelter/Safehouse	5.
6. Information/Referral (in person)	6.
7. Criminal Justice Support/Advocacy	7.
8. Emergency Financial Assistance	8.
9. Emergency Legal Advocacy	9.
10. Assistance Filing Compensation Claims	10.
11. Personal Advocacy	11.
12. Telephone Contact Information/Referral	12.
13. Other (specify):	13.

Section 4 **Victim Census**

A. Indicate the number of victims provided services according to their race or national origin (total must equal the total in Section 3A). Numbers are to reflect ONLY victims served under the VOCA grant not your entire agency.

National Origin	Number
8. European American	1.
9. African American	2.
10. Hispanic	3.
11. Asian or Pacific Islander	4.
12. American Indian	5.
13. Total	6.

B. Identify each victim served by sex (total must equal the total in Section 3A). Numbers are to reflect ONLY victims served under the VOCA grant not your entire agency.

Sex	Number
4. Female	1.
5. Male	2.
6. Total	3.

C. Indicate the number of victims served according to age group (total must equal the total in Section 3A). Numbers are to reflect ONLY victims served under the VOCA grant not your entire agency.

Age Group	Number
7. 12 or under	1.
8. 13-17	2.
9. 18-25	3.
10. 26-40	4.
11. 41-60	5.
12. 61 or over	6.
13. Total	7.

PLEASE DO NOT ADD CATEGORIES (SUCH AS OTHER OR UNKNOWN) TO ANY SECTION.

OFFICE OF CRIMINAL JUSTICE PROGRAMS

VOCA SEMI-ANNUAL OUTPUT REPORT FORM INSTRUCTIONS

Enter the semi-annual reporting period. VOCA agencies are required to report output data twice a year. Mid-year Semi-Annual Reports are due January 31st for the period July 1st through December 31st. Year-end Reports are due July 31st for the period January 1st through June 30th.

Section 1

Agency: Enter the name of your agency.

State Grant Number: Enter the grant number (begins with "Z") from your contract.

Street Address: City, State, Zip: Enter the complete address for your agency.

Contact Person: Enter the name, phone number, and fax number of the Project Director.

**EXAMPLE ONLY—
THIS REPORT IS
SUBMITTED
ELECTRONICALLY**

Section 2

Indicate the number of subcontracts your project has funded for the entire year.

Section 3

- A. 1-12: Indicate the total number of victims served throughout the grant period (the entire fiscal year) for each line. A victim may only be counted once per year for the same crime. A crime is one incident for which the victim seeks services. For example: a victim of a series of spouse abuse assaults should be counted more than once **only** as a result of separate and unrelated crimes.
- B. Enter the total number of victims (not number of services provided) served by service type for the fiscal year. For example: an agency provides 10 therapy sessions with 10 victims attending. This would be counted as 10 therapy sessions.

VOCA DEFINITIONS

Counseling

Refers to in-person crisis intervention, emotional support, and guidance and counseling provided by advocates, counselors, mental health professionals, or peers. Such counseling may occur at the scene of the crime, immediately after a crime, or be provided on an ongoing basis.

Follow-up

Refers to in-person contacts, telephone contacts, and written communication with victims to offer emotional support, provide empathetic listening, check on victim's progress, etc.

Therapy

Refers to intensive professional psychological and/or psychiatric treatment for individuals, couples, and family members related to counseling to provide emotional support in crisis arising from the occurrence of crime. This includes the evaluation of mental health needs, as well as the actual delivery of psychotherapy.

Group Treatment/Support

Refers to the coordination and provision of supportive group activities and includes self-help, peer, and social support, etc.

Shelter/Safe House

Refers to offering short and long-term housing and related support services to victims and families following victimization.

Information Referral

Refers to in-person contacts with victims during which time, services, and available support are identified.

Criminal Justice Support Advocacy

Refers to support, assistance, and advocacy provided to victims at any stage of the criminal justice process, to include post-sentencing services and support.

Emergency Financial Assistance

Refers to cash outlays for transportation, food, clothing, emergency housing, etc.

Emergency Legal Advocacy

Refers to filing temporary restraining orders, injunctions, and other protective orders, elder abuse petitions, and child abuse petitions but does not include criminal prosecution or the employment of attorneys for non-emergency purposes, such as custody disputes, civil suits, etc.

Assistance in Filing Compensation Claims

Includes making the victim aware of the availability of crime victim compensation, assisting the victim in completing the required forms, gathering the needed documentation, etc. It also may include follow-up contact with the victim compensation agency on behalf of the victim.

Personal Advocacy

Refers to assisting victims in securing rights, remedies, and services from other agencies; locating financial assistance, intervening with employers, creditors, and others on behalf of the victim; assistance in filing for losses covered by public and private insurance programs including workman's compensation, unemployment benefits, welfare, etc.; accompanying the victim to the hospital; etc.

Telephone Contact

Refers to contacts with victims during which time services and available support are identified. This does not include calls during which counseling is the primary function of the telephone call.

Other

Refers to other VOCA allowable services and activities not listed.

Section 4

- A. Indicate the total number of victims (for the entire fiscal year) receiving services for the year according to their national origin. Please ***do not add*** categories. The total must equal the total in Section 3A.
- B. Indicate the total number of victims (for the entire fiscal year) receiving services by gender. The total must equal the total in Section 3A.
- C. Indicate the total number of victims served (for the entire fiscal year) according to their age category. The total must equal the total in Section 3A. The breakdown for the age groups is as follows:

**EXAMPLE ONLY—THIS
REPORT IS SUBMITTED
ELECTRONICALLY**

VOCA YEAR END RECONCILIATION REPORT

AGENCY NAME:	
PERIOD COVERED BY REPORT:	
Z NUMBER:	
FEDERAL AMOUNT:	MATCH AMOUNT:

VOCA PRIORITY AREA	AMOUNT ALLOCATED (FROM SAR)	ACTUAL AMOUNT SPENT
CHILD ABUSE		
DOMESTIC VIOLENCE		
SEXUAL ASSAULT		
PREVIOUSLY UNDERSERVED:	XXXXXXXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXXXXXXXXXXXXXXXXXX
DUI/DWI CRASHES		
SURVIVORS OF HOMICIDE VICTIMS		
ASSAULT		
ADULTS MOLESTED AS CHILDREN		
ELDER ABUSE		
ROBBERY		
OTHER VIOLENT CRIMES (PLEASE SPECIFY)		

REPORT SUBMITTED BY:

VOCA YEAR END RECONCILIATION FORM INSTRUCTIONS

The Victims of Crime Act Grant (VOCA) requires that each of the four priority areas receive a minimum of 10% of the federal award amount per each fiscal year. The priority areas are: Domestic Violence, Sexual Assault, Child Abuse, and Previously Underserved. The Office of Criminal Justice Programs is responsible for ensuring that VOCA funding is allocated as required to meet federal guideline requirements. Baseline information is collected from the SAR submitted by subrecipients at the beginning of each fiscal year. It is then entered into a federal database and must be maintained as changes occur. In order to guarantee that these requirements are being met, the U.S. Department of Justice Subgrant Award Report Reconciliation Form must be submitted, to OCJP twice a year.

NAME OF AGENCY: Enter the name of your agency as it appears on your VOCA contract.

PERIOD COVERED BY REPORT: Enter the reporting period for which the report is being completed.

Z NUMBER: Enter the Z number from your VOCA contract

FEDERAL AMOUNT: Enter the federal amount of your grant.

MATCH: Enter the match amount of your grant.

**EXAMPLE ONLY—THIS
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AMOUNT ALLOCATED (FROM SAR): The amount entered for each priority area should reflect the federal amount of your grant only. **Do not include the match in this section.**

1. **DOMESTIC VIOLENCE:** This amount must correspond to the amount noted on the SAR. For example, if there is a dollar amount on the SAR for Domestic Violence, insert the same amount in this box. If this section is blank on the SAR, it should be blank on this form.
2. **SEXUAL ASSAULT:** This amount must correspond to the amount noted on the SAR. For example, if there is a dollar amount on the SAR for Sexual Assault, insert the same amount in this box. If this section is blank on the SAR, it should be blank on this form.
3. **CHILD ABUSE:** This amount must correspond to the amount noted on the SAR. For example, if there is a dollar amount on the SAR for Child Abuse, insert the same amount in this box. If this section is blank on the SAR, it should be blank on this form.
4. **PREVIOUSLY UNDERSERVED:** This amount must correspond to the amount noted on the SAR. For example, if there is a dollar amount on the SAR for Previously Underserved, insert the same amount in this box. If this section is blank on the SAR, it should be blank on this form.

ACTUAL AMOUNT SPENT: The amount entered for each priority area should reflect the actual federal amount of your grant only. **Do not include the match in this section.** The amounts entered MUST correspond with the amounts listed on the SAR that is submitted to OCJP. If your SAR does not have a dollar amount noted for a particular priority area, this section **should not** have an expenditure reported.

1. **DOMESTIC VIOLENCE:** This amount must correspond to the actual expenditures for which the agency has submitted invoices in relation to services for domestic violence victims.
2. **SEXUAL ASSAULT:** This amount must correspond to the actual expenditures for which the agency has submitted invoices in relation to services for sexual assault victims.
3. **CHILD ABUSE:** This amount must correspond to the actual expenditures for which the agency has submitted invoices in relation to services for child abuse victims.
4. **PREVIOUSLY UNDERSERVED:** This amount must correspond to the actual expenditures for which the agency has submitted invoices in relation to services for previously underserved victims.

VOCA BUDGET REVISION FORMS

<http://www.state.tn.us/finance/rds/manuals.htm>

After web page opens please scroll to the bottom of the screen to locate the appropriate fund source and click **VOCA**.

For PRINTED VERSIONS you will need to type the above referenced web site address in your internet explorer address box. Click “Go”. Then follow the instructions above this paragraph.

PROGRAM LOGIC MODEL

Click the link below to be taken to the Logic Model:

<http://www.state.tn.us/finance/rds/logicmodel.pdf>

For PRINTED VERSIONS you will need to type the above referenced web site address in your internet explorer address box and click go.

REQUIRED CLIENT OUTCOME INDICATORS AND MEASURES

Click the link below to be taken to the Client Outcome Indicators and Measures:

<http://www.state.tn.us/finance/rds/coreout.pdf>

For PRINTED VERSIONS you will need to type the above referenced web site address in your internet explorer address box and click go.

SAMPLE VICTIM/COMMUNITY/COLLABORATOR SURVEY

Click the link below to be taken to the Client Satisfaction Survey:

<http://www.state.tn.us/finance/rds/victimshomepage.htm>

After arriving at the web page scroll down to the approximate center of the page. The surveys are listed by Outcome Measure. Click on the appropriate name to see the survey then click print.

For PRINTED VERSIONS you will need to type the above referenced web site address in your internet explorer address box. Click “Go” and follow the instructions listed above.

VICTIM SERVICES CONTRACT PERFORMANCE REVIEW PROCESS

Click the link below to be taken to the Project Management Review Description:

<http://www.state.tn.us/finance/rds/PMR.pdf>

For PRINTED VERSIONS you will need to type the above referenced web site address in your internet explorer address box and click go.

RULES/GUIDELINES FOR OCJP – REQUIRED DATA COLLECTION

Click the link below to be taken to the Rules/Guidelines for OCJP – Required Data Collection:

www.state.tn.us/finance/rds/datacoll07.pdf

For PRINTED VERSIONS you will need to type the above referenced web site address in your internet explorer address box. Click “Go.”

TENNESSEE CRIMINAL INJURIES COMPENSATION PROGRAM INFORMATION

**Tennessee Criminal Injuries Compensation Fund
Division of Claims Administration
9th Floor, Andrew Jackson State Building
Nashville, TN 37243-0243
615-741-2734**

www.treasury.state.tn.us/injury.htm

TENNESSEE CRIMINAL INJURY COMPENSATION PROGRAM

The following information is taken from the Tennessee Criminal Injury Compensation web page.

Criminal Injury Compensation is a program which provides financial help in cases where bodily injury or death results from criminal acts committed against innocent victims. The statutory guidelines for operation of this program may be found in *Tennessee Code Annotated*, Title 29, Chapter 13.

Compensation is provided through the Criminal Injury Compensation Fund of the State of Tennessee. This fund consists of fines, penalties and fees assessed against persons convicted of crimes in Tennessee. Available federal funds are also used. No general tax revenues of the state are used; therefore, persons convicted of crimes support a program to benefit their victims.

ELIGIBILITY

A person may be eligible for benefits under the following circumstances:

- A person who suffered bodily injury as an innocent victim of a criminal act occurring in a state or federal jurisdiction within the borders of Tennessee.
- A resident of Tennessee who was an innocent victim of terrorism or mass violence that occurred outside the territorial boundaries of the United States and the claimant is not eligible for compensation under Title VIII of the Federal Omnibus Diplomatic Security and Antiterrorism Act of 1986.
- A resident of Tennessee who was an innocent victim of a crime that occurred in another state which does not have a compensation program.
- Survivors of a homicide victim for medical and funeral expenses, and, in some cases, dependency and crime scene cleanup. If there are no surviving dependents, the victim's estate may receive compensation for unreimbursed funeral and burial expenses.
- An innocent person who sustained bodily injury or death while attempting to prevent a criminal act or in an attempt to apprehend a person or persons suspected of engaging in a criminal act.
- A person who suffered bodily injury or death as a result of a motor vehicle or watercraft accident caused by a drunk driver or by a driver who intentionally inflicted injury. In some circumstances, a passenger in the vehicle or watercraft driven by the drunk driver may not be eligible for compensation.

A person may not be eligible for benefits under the following circumstances.

- The individual did not assist the appropriate authorities in the investigations and prosecution of crimes.

- The individual contributed to his or her own victimization in any way, such as participating in the criminal act which led to the injury or death.
- The individual was a passenger in a vehicle or watercraft operated by a driver the passenger knew or should have known was legally intoxicated and/or under the influence of a drug of abuse, unless the person is under age 14 or at least 14 years of age but less than 18 and was riding with someone exercising parental control. The fact that the passenger may have been under the influence of alcohol and/or a drug of abuse does not excuse a failure to have known the condition of the driver.
- An award may not be approved in cases where the compensation would benefit the person who committed the crime for which compensation is sought.

In order for a victim to receive Criminal Injury Compensation, he or she must meet the following conditions.

- The victim (or the victim's survivors) must report the crime to the proper authorities within 48 hours after the crime was committed, unless the victim was a minor, or unless good cause can be shown for reporting the crime late.
- The victim must fully cooperate with law enforcement officials in their investigation and prosecution.
- A written claim for benefits must be filed within one year after the date of the criminal act, unless good cause can be established for not doing so.
- Generally, a claimant should be the individual who is legally responsible for the losses not otherwise covered by other resources. If the eligible victim or dependent is under 18 years of age or the eligible victim is proven to be physically/mentally incapable of filing on his own behalf, the person or agency that has legal guardianship would file as the claimant.

BENEFITS

Benefits may vary depending on the date of the crime. The overall maximum benefit currently available under the Criminal Injury Compensation Program is \$30,000.

Benefits are reduced by the amount of any other public or private insurance, workers' compensation benefits, or medical, health or disability benefits which may be available to the victim. Payment by the program is secondary to such other insurance or benefits, regardless of any contract or coverage provision to the contrary, as this is a fund of last resort.

- **Compensation for Medical Expenses**
All reasonable medical expenses arising from a covered injury are reimbursable under the program, up to the maximum award available. Mental health counseling may be available for a victim and, in certain circumstances, for certain relatives of a victim as provided for under program provisions.
- **Compensation for Temporary Total Disability**
Victims whose injuries temporarily prevent them from working are eligible to receive compensation for wages lost due to the injury. Reimbursement for lost wages is

determined in accordance with the criminal injury law. To be eligible for compensation, victims must be employed immediately prior to the injury. The level of compensation varies according to the victim's salary at the time of the injury and the percentage allowable under the criminal injury law.

- **Death Benefits**

Benefits are available to the dependents of a deceased victim, subject to the maximum amounts available under the program. These awards may include up to \$6,000 in reimbursement for funeral and burial expenses and \$3,000 in crime scene cleanup expenses, subject to the overall maximum award amount. Mental health counseling may be reimbursable up to \$3,500 for relatives of the deceased victim of an eligible crime (as defined in criminal injury law), also subject to the overall award amount.

- **Compensation for Permanent Partial or Total Disability**

The program permits compensation to the victim for permanent total or permanent partial disabilities, which result from injuries incurred as the result of a crime. Payment for such disabilities are made in accordance with the criminal injury law and are based on the victim's weekly wage at the time of the injury and other provisions in the law.

- **Compensation for Pain and Suffering**

Persons who are victims of sexually-oriented crimes may be eligible for up to \$3,000, if it is determined that the victim experienced pain and suffering as a result of commission of the crime.

- **Compensation for Crime Scene Cleanup**

Reimbursement may be considered for expenses incurred to clean a residential homicide, sexual assault or aggravated assault crime scene, provided that the cleaning is necessitated by the crime (or processing of the crime scene) and that the residence is that of the victim or a relative (as defined by criminal injury compensation law). Compensation may be available up to \$3,000, subject to the overall maximum award amount.

- **Compensation for Property Loss or Damage**

Reasonable costs may be considered for cleaning, repairing or replacing eyeglasses and hearing aids owned by a victim that were damaged or destroyed by the crime or processing of the crime scene. In addition, reasonable costs may be considered for repairing or replacing personal property owned by the victim or relative of the victim (as defined by statute) that was damaged or destroyed in processing the scene of a homicide, sexual assault or aggravated assault if the scene was the residence of the victim or the relative of the victim who owned the property. Otherwise, expenses related to the loss of or damage to any other property are not eligible for reimbursement except in situations where the eligible crime involves loss of or damage to "dental devices," "medically related devices" or "artificial prosthetic devices."

- **Compensation for Moving Expenses**

A victim's reasonable moving expenses, storage fees, and utility fees when a crime occurs in the victim's residence may be eligible for reimbursement.

- **Compensation for Travel to Trial**
A claimant's reasonable travel expenses to attend the trial, appellate, post conviction or habeas corpus proceedings of the alleged defendant(s) who committed the crime upon which the claim is based, may be eligible for reimbursement. For these purposes, a claimant may be a victim, guardian of a minor victim, legal representative of an estate (not an attorney who serves as such for a fee), or relative as defined by criminal injury law. No claimant may receive an award if he/she is otherwise eligible for payment of travel expenses by the state or a county as a result of attending the trial as a witness. Travel may not exceed a cumulative total of \$1,250 for all claimants and no more than four (4) claimants may receive reimbursement as a result of the "same criminal act."
- **Compensation for Other Losses**
Losses or expenses actually incurred by the victim which are related to the crime but which are not listed above may be approved for reimbursement if deemed appropriate by the Division of Claims Administration.

DETERMINATION OF BENEFITS

After a claim for compensation is filed, a copy is forwarded to the appropriate district attorney general who conducts an investigation of the circumstances surrounding the crime. The Division of Claims Administration reviews the claim and may ask the claimant/victim to provide additional information. Upon receipt of a completed claim form and documentation from the claimant/victim, as well as receipt of the District Attorney's investigation and recommendations, the Division of Claims Administration determines if the claim is compensable and issues payment as allowed by statute.

If a minor child is eligible for compensation, the Division may pay the minor's funds to the Juvenile Court to be deposited into an interest-bearing account until the child turns 18 years of age.

Additional information on the Criminal Injury Compensation Program may be obtained by contacting the district attorney general's office in your county, the U.S. Attorney's Office, or by contacting:

State of Tennessee Treasury Department
Division of Claims Administration
9th Floor Andrew Jackson Building
Nashville, TN 37243-0243

You may download and print a claim form from the Tennessee Criminal Injury Compensation website or request a form at (615) 741-2734, by fax at (615) 532-4979, or by E-mail at: Criminal.Injury@state.tn.us